

Mar 15

4

ANNO . XXIII . H . VIII .

The kyng our soueraigne lord  
Henry the eight by the grace of god  
kyng of Englande and of France  
defender of the faith and lord of  
Irelande at the session of his highe  
Courte of parliament after diuerse  
prologations, holde at westminster  
the .xv. day of Januari, in the .xxiii.  
yere of his most noble reigne to the  
honour of almightie god and holy  
churche / and for the comen weale  
and profette of this his realme by  
the assente of the lordes spiritual  
and tempozall / and the comons in  
this present parliament assembled  
and by auctoritie of the same / hath  
ordained established and en-  
acted certayne good statu-  
tes lawes and ordi-  
nances in maner  
and forme  
folow-

ing

shall be the true copye of wch

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June 8. 1932



2748  
 That no persone committynge pety treason/  
 murder/ or felonie/ shall be admitted to his  
 clergy/ vnder subdeacon.



Where at a parliament holden at westminster/ in the .vi.  
 pere of kynge Edward the fyrste/ the same kynge mo-  
 ued the prelates of the realme/ and them enioyned vnto  
 their feith/ that they shold to hym/ that in no wyse they  
 shulde deliuer those clerkes / whiche were endited for  
 felonie/ without due purgation/ so that the sayd kynge  
 shuld haue no nede to put other remedy in that behalfe.

And that not withstanding after that monition dyuers and many clerkes  
 conuicted were accustomedly deliuered and suffered to make theyr purga-  
 tions/ to the great corage of euill doers: By occasion wherof afterwarde  
 at an other parliament holden at westminster in the .iiii. pere of king Henry  
 the .iiii. vpon the compleynthe of the commons the same kynge Henry the  
 fourthe than aduertised the prelates of the realme of the pzeuilles/ enten-  
 dyng than to haue provided remedy/ by auctoritie of the sayd parliament/  
 as apperteyned to his prerogative royal/ for the conseruation of the peace  
 of the Crowne: At whiche tyme the archebysshop of Canterbury / for him  
 selfe and all other bps shopp of his prouince than openly promysed to the  
 same kynge Henry the .iiii. that if any person from thensforthe were con-  
 uicted of any treason / whiche touched not the kynge nor his royall ma-  
 iestie/ and suche as were notoriously knowen and reputed for theues/ and  
 for suche cause deliuered to any ordinarie as a clerke conuicted / that the  
 ordinarie/ to whom suche person or persons were deliuered / shulde safely  
 kepe them after the effecte of a constitution prouinciall to be made by the  
 sayde archebysshop and bishoppes after the effecte of the letters of Symon  
 than aforesaid tyme archebysshop of Canterbury/ bearing date the .xii.  
 kalendis of Marche/ the pere of our lord god a. M. CCC. l. and that no  
 suche traitour nor felon shulde make his purgation agayns the saide Con-  
 stitution/ whiche Constitution the sayd archebysshop than promysed to de-  
 liuer to the same kynge before his nexte parliament/ to the intent that if it  
 shulde seme to the same kynge/ that the same Constitution were not suffi-  
 cient remedy for the pzeuilles/ that than the sayde kynge myght prouide  
 suche remedy as shulde apperteyne in that behalfe. So then whiche  
 tyme the same Constitution was neuer notified ne shewed by the prelates  
 of this realme/ but continually sithen that tyme manifest theues and mur-  
 derers indited and founde guilty of their mysdoes by good and substan-  
 ciall inquestes vpon playne and pzoefable euidence before the kinges Ju-  
 stices / and afterwarde by the iudges of the common lawes of the londe  
 deliuered to the ordinaries as clerkes conuicted / be speedily and hastily de-  
 liuered and set at large by the ministers of the sayd ordinaries for corrup-  
 tion

Al.ii.

tion

tion and lucre/ or els bycause the ordinaries enclapmynge suche offenders by the liberties of the church/ wyl in no wyse take the charges in saue keepynge of them/ but litell regardynge the trial and conuiction of the sayde offenders/ by the due and playne course of the comon lawes of the londe/ do suffer them to make their purgations by siche as nothyng knowe of their mysdoes/ and by suche fraude aduyl and make boide all the good and prouable trial that is vled agayne suche offenders by the kynges lawes/ to the great disclaundet of suche as pursue suche mysdoers/ and to the pernicious example/ encrease/ and cozage of suche offenders/ if the kynges highnes by his auctorite for all pur nor spedy remedye in the premises as apperperlyeth.

¶ Be it therfore enacted by the kyng our soueraygne lord/ and the lordes spiritual and tempozall/ and the commons in this presente parliament assembled/ and by auctorite of the same/ that no person nor persons/ whiche hereafter shall happen to be founde gylty after the lawes of this londe for any maner of petty treason/ or for any wyllfull murder of malice prepensed/ or for robbynge of any churches/ chapels/ or other holy places/ or for robbynge of any persone or persons in thei dwellinge houses or dwellinge place/ the owner or dweller in the same house/ his wyfe/ his children/ or seruantes/ than beinge within and put in feare and drede by the same/ or for robbynge of any person or persons in or aboute the high wayes/ or for wyllfull burninge of any dwellinge houses or beermes/ wherby any gayne of cornes shall happen to be/ nor any persone or persons bynynge founde gylty of any abbettement/ procurement/ helpynge/ intertynynge or counsellynge of or to any suche petty treasons murders or felonies/ shall from hensforth be admitted to the benefite of his or their clergy/ but vntyll he be excluded therof and suffer deathe in suche maner and forme as they shulde haue done for any the causes or offences abovesaid/ if they were no clerkes. Suche as be within holy orders/ that is to saye of the orders of subdeacon or aboue alonly excepte.

¶ And be it further enacted by auctorite aforesaid/ that euery suche person and persons within suche orders of subdeacon or aboue/ whiche at any tyme hereafter be founde gylty of any petty treason/ or of any murder of malice prepensed/ or of any of the felonies aboue reherced/ or of any accessarie to petty treason/ wyllfull murder/ or to any other the felonies aboue specified/ and admitted whys or thei clergy/ and deliuered to the ordinaries for the same/ shall not in any wyse from hensforth be suffered to any purgation/ nor be sette at libertie/ but remaine and abyde in perpetuall prison/ vnder the keepynge of the ordinaries/ to whom he shall be committed and his successors/ without any maner of mitigation duringe the natural lyfe of euery suche convicted/ Excepte only suche person or persons so beinge within suche holy orders and convicted of or for any of the offences aforesaid/ and deliuered to the ordinaries for the same/ do fynde two sufficient



cientie suerties by recognisance before two of the kynges Justices of his peace within the same wythe/ where the peyre treason/ murder/ or felony/ wherof he was conuicted/ was committed and done/ wherof one of them to be of the Quorum/ that suche conuicte shall be of good abearynge agaynst the kyng our souerayne lord/ his ladyes and subiectes/ every suche conuicte to be bounde in the somme of .xl. li. and every his suerties in .xx. li. And that no suertie be taken onlesse suche as may dispende in londes tenementes or hereditametes perely above all charges of estate of enheritance of charter holde. xxvi. s. viii. d. or els be worthe .xx. li. in mouable substance at the tyme of the takynge of suche recognisance. And that two Justices of peace/ wherof one to be of the Quorum/ by auctorite afore sayde haue power and auctorite to take suche recognisance. And that the sayde Justices/ afore whom any suche recognisance shall be taken/ shall certifie the same in to the kynges benche within .iii. monethes nexte after the takynge therof/ upon payne to lose and forsaite. C. s. for every default therof.

**¶** Provided alway that this acte extende not to geue any benefite to any suche person or persons/ whiche after theyr confession/ or iugement gyven agayne them of/ or for felony or murder/ or after they be outlawed for any suche cause be admitted to theyr clergy and deliuered to the ordinarie for the same/ but that they and every of them/ shall remayne in the custodie of the ordinaries withoute makinge purgacion/ upon suche perill and in suche maner and forme as it was used by the common lawe before the makinge of this present acte/ this acte or any thinge therein conteyned not withstandinge.

**¶** Provided alwayes and it is further enacted/ that every ordinarie/ to whose custodie any suche conuicte for any of the offences aboue rehearsed shall be committed/ maye at his libertie disgrace every suche conuicte after the lawes of the church/ if he se cause so to do/ and sende the conuicte so disgraced in sure and safe keepinge in to the kynges benche with a certificate vnder his seale testifieng the sayde disgrace/ upon the whiche the Justices of the kynges benche/ haupng afore them the recorde/ upon the whiche the sayde persone so disgraced was firste conuicte/ shall geue suche lyke iugement of death upon the same recorde agaynst every suche person so conuicte and disgraced/ as the Justices afore whom he was conuicte myght haue done/ if the sayde person so disgraced at the tyme of his conuiction afore them had be no clerk/ his admyssion to his clergy/ and comyttyng to the ordinarie/ or any other thyng use or custome to the contrarye herof not withstandinge. And that every suche iugement shall be executed accordyngly. And that every ordinarie so sendyng any suche conuicte disgraced in to the kynges benche shall be discharged agayne the kyng our souerayne lord/ his heires and successours of or for any further custodie or keepinge of the same conuicte.

**¶** This acte to continue vnto the lasse day of the nexte parliament.

A.iii.

An acte

**An** acte concernynge where and vnder what maner  
the iayles within this realme shall be  
edified and made. ii



**E**as moche as it is necessarie and comendable / that  
commen iayles and prisiones / wherunto yuell doers  
shall be commytted for their offences shulde be surelye  
and substancially edified in suche towne in euery shire  
within this realme as shall be most indifferent for con-  
ueniance of prisoners from euery part of the shire wher-  
in suche iayles shalbe / and in especiall in those towne /  
where mooste commonly the assises and sessions ben vsually kepte / and  
where there is moost resorte and repaire of people to thentent that by the  
meane therof fewer shall escape / and also the rather and oftener reliefe and  
charite of the people shall be to the prisoners ministred : It may therfore  
please the kynges hyghnes with thassent of the lordes spirituall and tem-  
poral / and the comons in this present parliament assembled / and by aucto-  
ritie of the same to enacte that the Justices of peace of euery of the shires  
of Essex / Suff. Dorst. Sussex / Surrey / Nottingham / Glouc. Bedforde /  
Buck. Huntingdon / Wiltes. Kent / Warwicke / Stafforde / Dresh. Barks.  
Leicester / Rutlande / Lincolne / Hereforde / Northampton / Salop / Dorst.  
and Cornwall / or the mooste parte of the sayd Justices of peace in euery of  
the said shires within the limittes of their commission / shall haue full power  
and auctoritie to lymytte and appoynte at any tyme within the terme of  
one yere from the ende of this present parliament the towne and places /  
wherin they shall thynke mooste necessarie to haue a common iayle newely  
edified and made. And that also the sayde Justices of peace in euery of  
the sayde shires / or the most parte of the sayd Justices of peace within the  
limittes of theyr commission shall haue full power and auctozite to calle  
before them at times and places by them to be appoynted / al the high con-  
stables / tythyng men / or borrough holders of euery hundred / lathe / or wa-  
pentake in the shire / wherof they be Justices / and in theyr presence and by  
theyr assentes and agrementes / or in the presence and by thassente of the  
mooste parte of them shall conclude and agree vpon suche conuenient and  
certayne sommes of money / as shall be thoughte by their discretions and  
by examination of worke men to suffice for the makynge and perfette fy-  
nysshynge of a newe iayle in the shire / wherof they be Justices of peace /  
and ther vpon shall forthwith by their assentes agrementes and discrecion  
take and set euery suche person and persons as than shall be resiant in the  
same shire / as well within liberties as without / haupnge londes / tene-  
mentes / rentes / or annuities of estate of inheritaunce / or for terme of lyfe  
to the clere yerely value of. xl. s. or aboue / or beinge worthe in mouable  
substaunce the clere value of. xx. li. or aboue to suche reasonable ayde and  
sommes



Sommes of money as shall be thoughte conuenient by their discretions to  
 and for the full buildyng makynge and finishynge of the sayd comon iayle  
 of the shire / where suche assessement shall be made. And after suche  
 taxation to name and appointe suche nombze of collectours for the leuieng  
 therof/as shall seme best by theyr discretions. And that the sayde colle-  
 ctours and euery of them shal haue power and auctorite to distreine euery  
 suche persone as shall be sette or taxed by the sayde Iustices of peace as is  
 afoze sayd in their londes or goodes/as well within liberties as without/  
 and to selle the distresses by them taken by thappoysement of. iiii. honeste  
 persons for the payment of the sayd sommes to be taxed/ if the persone or  
 persons taxed refuse to pay the same within. x. dayes nexte after suche di-  
 stresse taken/takynge vpon euery suche sale but only the money taxed/with  
 reasonable costes for takynge of the distresse: and the ouerplus of suche  
 sales to be deliuered to the owner of the sayd distresse. And that also the  
 sayde Iustices of peace in euery of the sayde shires/ or the mooste parte of  
 them / within the limittes of their commission/ shall haue power and au-  
 thoritie to name and appoint. ii. honest persons inhabited in the sayd shire/  
 wherin they be Iustices/ whiche .ii. persons shall suruey se and prouyde/  
 that the sayd iayles shall be surely and substantially made and synplyed:  
 to whose handes the sayde collectours shall pay and delyuer the money by  
 them collected of the kynges subiectes by the appoyntement and assigne-  
 ment of the sayde Iustices of peace or. vi. of them at the leest. And that  
 as well euery of the sayde collectours/as euery of the sayd. ii. persons to be  
 named/their heires executours / and administratours shall declare a true  
 and a iust accompt to the said Iustices of peace in euery of the said shires/  
 or to. vi. of them at the leest from tyme to tyme whan they shalbe required.  
 And in case any of them refuse to make accompt/or refuse to pay and em-  
 ploye suche sommes of money as shall come to theyr handes in suche wyle  
 as shall be limited and appoynted by the sayde Iustices of peace or. vi. of  
 them (as is afozesayd) that than the same Iustices of peace or. vi. of them  
 in euery shire where suche iayles shall be newe made/ shal haue full power  
 and auctorite/ if the sayde offenders be pzeent to comitte them to warde/  
 and if they be absente to make attachementes vnder theyr seales by theyr  
 discretions agein euery suche collectour and person/ to whose handes any  
 of the sayde sommes of money taxed shall happen to come / theyr heires  
 executours and administratours and euery of them into euery shire and  
 parte of this realme/ as well within libertie as without / to be returnable  
 afoze the sayde Iustices of peace/at suche day and place as by them shalbe  
 appointed/and to be directed to the Shireffe or Shireffes of the shire wherin  
 the partie or parties/ageine whom suche attachement shalbe directed shall  
 be resident and abydyng/ if it be within the bailliwicke of the Shireffe/ and  
 if hit be without / than to be directed to the baillie of the libertie/ wherin  
 suche partie shall abyde. And that euery Shireffe and bailliffe of libertie /  
 to

to whose handes suche attachementes shall come / without fauour or corruption shall attache the sayde offenders / and personallly brynge them before the sayde Justices accordyng to the tenour of thattachement to them directed / or els declare by his returne of the sayde attachement some reasonable cause why he can not so do / vpon payne for euery defaute by them or any of them committed contrary to this acte to lose and forsaite . C . s . to the kyng our soueraigne lord. And vpon the apparance of euery suche person so attached the sayde Justices or. vi. of them shall haue full power and auctoritie to commytte them to prison / there to remayne without baile or maynprie tyll they haue truely accompted and payde all suche sommes of money as came to theyr handes by the assignement of the sayde Justices by auctoritie of this acte . And in case there happen to remayne any ouerplus of money after the sayles fully and holly fynysched / than hit is ordered / that the same ouerplus shall be employde and bestowed in almes to the prisoners to be commytted to the sayde sayle by the discretions of the sayde Justices of peace or the moze parte of them / as longe as it wyl last.

**P**rovided alway that this acte extende not to charge any persons inhabited within any cities townes or borowes corporate / whiche haue comon sayles for felons taken in the same / & haue Justices of peace for deliuerance of suche felons / for any taxes or lottes to the makynge of the sayd comon sayles of any the shires aboue named, but that euery suche inhabitant in any suche cite towne or borowe corporate shalbe vtterly discharged therof.

**A**nd be it further enacted that seuerall commissions vnder the kynges great seale / with this present acte thereto affiled / shall be directed to the Justices of peace of the shires afoze named / auctorising them to accomplyshe and execute this present acte accordyng to the tenour therof in euery behalfe. And that the sayd Justices of peace in euery of the shires afoze named / haue power and auctorite to limite to euery of the sayde collectours and persones by them to be named / that shall take paynes for leuenge of the money taxed or for the surueynge of the makynge of the sayd sayles / suche reasonable sommes for theyr paynes and labours for the collection of the sayd money and surueynge the makynge of the sayd sayles.

**A**nd be it further enacted by the auctorite aforesaid / that all murderers and felons shalbe imprisoned in the sayd comen sayles / and not els where. And that the shireffes shall haue the keepynge and charge of the same newe sayles. And that euery shireffe be allowed vpon his accopt in the Exchequer for al & euery such somes of money as he shal hereafter happen to expende in & about the necessarie reparations or amendmentes of the said sayles after they be ones made from tyme to tyme as ofte as neede shal require. And that the barons of the kynges Exchequer haue power to allow euery shireffe in euery suche case by their discretions without any bylle or warant to be leued from the kynges highnes in that behalfe.

**P**rovided alway that this acte be not in any wise hurtfull or preiudiciall to any persone or persons



persons hauing any common lawes by inheritance for terme of lyfe or for  
yeres but that they shall haue and enioy their sayd lawes and the profittes  
fees and commodities of the same as they hadde or myght lawfully haue  
had befoze the makinge of this acte / and as if this acte hadde neuer ben  
made.

Be it further enacted by auctorite afoze sayde that lyke provision in e-  
uery behalfe be had for a new Caple to be made within the countie of. Wer  
bye in lyke fourme as is prouyded for other shires afoze sayde.

An acte concernynge perurie and pynful shement  
of vntreue verdictes.



he kynge our souerayne lord of his moste goodly and  
gracious disposition callynge to his remembrance how  
that perurie in this londe is in manyfolde causes by  
vntreasonable meanes detestabyl vnto the dyschey-  
taunce and great damage of many and great nombre  
of his subiectes / well disposed / and to the mooste hygh  
displeasure of almighty god / The good statutes agens  
all officers hauinge retorne of wyttes and their deputies makinge pa-  
rtiall parrally for rewardes to them gyuen agaynst vnlawfull maynte-  
nours embassours and Jurours / and agaynst Jurours vntreuely peryng  
their verdicts not withstandinge / for reformation wherof / and for as  
much as the late noble king Henry the. vii. prouided remedy for the same  
by a statute made in the. xi. yere of his reigne / whiche statute is nowe ex-  
pired. Be it therfore nowe enacted by the kynge our soueraygne lord /  
and the lordes spirituall and tempozall / and the commons in this present  
parliament assembled / and by auctorite of the same / that vpon every vn-  
treue verdict hereafter gyuen betwixt partie and partie / in any sute plaint  
or demaunde befoze any Justices or Judges of recorde / where the thyng  
in demaunde and verdict therupon gyuen extendeth to the value of. xl. li.  
and concerneth not the reuerdie of mannes lyfe / the partie grieved by the  
same verdict shall haue a wytte of Atteynt agaynst every person hereaf-  
ter so gyvinge an vntreue verdict and every of them / and agaynst the  
partie / whiche shall haue iudgement vpon the same verdicts. And that in  
the same atteynt / there shalbe awarded agaynst the petit Jurie / the partie /  
and the graunde Jurie. Somons Reson and distresse infinite / whiche  
graunde Jurie shall be of lyke nombre as the graunde Jurie is nowe in  
atteynt / and every of them / that shall passe in the same / shall haue landes  
and tenementes to the value of. xx. markes by the yere of freholde out of  
the auncient demene. And vpon the distresse whiche shall be deliuered of  
recorde vpon the same open proclamation to be made in the court there.  
The distresse shall be awarded more than. xii. dayes afoze the retourne  
of

of the same distresse/and every suche distresse shall be made vpon the lande  
of every of the said graunde Iurie as in other distresse is and hath ben bled.  
And if the said partie defendand or the petite Jurours or any of them ap-  
pere not vpon the distresse/ than the graunde Iurie to be taken agaynst  
them and every of them that shall so make deraute. And if any of the  
sayd petit Iurie appere/ than the partie complaynant in that behalfe shall  
assigne the false serement of the fyrste verdicte vntreuely gyven/ wherunto  
they of the petite Iurie shall haue none answer/ if they be the same psons/  
and the wytte proces returne and assignement good and lafull/ excepte  
that the demandant or pleyntife in the same Atteynt hath afore bene non-  
sute or discontinued his sute of Atteynt taken for the same/ or hath for the  
same verdicte in a wytte of Atteynt had iugement ageynst the sayd petite  
Iurie/ but only that they made trewe serement/ whiche issue shall be tried by  
xxiii. of the sayd graunde Iurie/ and the partie shall plede/ that they gaue  
trewe verdicte/ or any other matter/ whiche shall be a sufficient Barre of  
the sayd Atteynt. And that plee not withstandynge the graunde Iurie to  
be taken without delaye to enquire whether the fyrste Iurie gaue trewe  
verdicte or no. And if they fynde that the sayde petite Iurie gaue an vn-  
trewe verdicte/ than every of the sayd petit Iurie to forsaite. xx. li. wherof  
the one halfe shall be to the kyng our soueraygne lord/ and the other halfe  
to the partie that sueth. And ouer that that every of the sayde petite Iurie  
shall severally make fyne and raunsome by the discretion of the Justices/  
before whome the sayde false serement shall be founde after theyr severall  
offences defautes and sufficientie of every of the sayde petite Iurie. And  
after that/ that those of the sayde petite Iurie so atteynted shall neuer after  
be in any credence/ nor their othe accepted in any court. And if suche plee  
as the partie pleadeth/ whiche is a Barre of the said Atteynt/ be founde or  
demed ageynst hym that so pleadeth/ than the partie that so sueth shall haue  
iugement to be restozed to that he lost with his resonable costes & damages.  
¶ Forseue alway that any vtlarie in action or cause personall / or excom-  
mement pleded or alleged in the partie pleyntife or demandant shall be  
taken but as boyde plee/ and to that he shall not be put to answer. And  
that in all the aforesayde processe suche daye shall be gyven as in a wytte  
of Dolour/ and none eslopyne or protection to lye nor to be allowed in the  
same. And if the sayd graunde Iurie appere not vpon the fyrste distresse  
had agaynst them / so that the Iurie for theyr defaute do remayne / he that  
maketh defaute shall forsaite to the kyng. xx. s. and vpon the seconde di-  
stresse. xl. s. And after makynge defaute for every suche defaute. v. li. And  
lyke penalties and forsaitures to be agaynst them and every of them that  
shalbe named in the Tales/ as is afore expessed agaynst every of the sayd  
graunde Iurie aforesayd. And that for and by the death of the partie or  
any of the sayd petit Iurie/ the said Atteynt shall not abate nor be deferred  
ageynst the remenant/ as longe as two of the sayde petite Iurie be alive.  
And



**A**nd if hereafter any false verdict be gyven in any action suite or demaunde afore any Justice or Judge of recorde of any thyng pascionell/ as dette trespass and other lyke/ whiche shall be vnder the value of .xl. li. that than the partie greued shall have Atteint with suche proces and plects as is afore reherfed/ and delaies to be taken away as is afore remembred: Excepte that in this case of Atteynt every person of the graunde iurie/ that may dispende .v. markes by the yere of freholde out of ancient demene/ or is worth an hundred marke of goodes & catelles shalbe able to passe in the same Atteynt. And if the petit iurie be atteinted/ that than they shal in this case of Atteynt every of them to forfait .v. li. wherof one halfe shalbe to the kyng/ & the other halfe to the partie/ after the forme afore reherfed/ & over that to make fine & ransome by the discretio of the Justices as is afore said.

**A**nd if there be not persons of such sufficiencie within the shire or place where any of the sayd Atteyntes shall be taken/ as may passe in the same: Be it ordeyned by the auctorite aboue sayde/ that than one Tales shalbe awarded into the shire next adioynynge by the discretio of the Justices/ afore whom the same Atteyntes shalbe taken/ which shalbe warned to appere vpon lyke peynes as is afore sayd/ and enabled to passe in the said atteintes/ as if they were dwelling in the shire/ where the same atteint shalbe taken/ And that the same lawes action & remedie ordeined by this present acte be kept for & to al them y shalbe greued by such vntreue verditis of any inheritance/ in discent reuersion remaindre/ or of any frehold in reuersion or remaindre. And if the partie in Atteynt gyven by this acte be nonsuite or the same discontinue/ that than the same partie so nonsuite or so discontinuynge the sayde atteynt make fine and ransome by the discretio of the Justices/ afore whom the sayd Atteynt shall be taken and dependynge.

**A**nd that al atteintes hereafter to be taken/ shalbe taken afore the kyng in his benche, or afore the Justices of the comon place and none in other courtres. And that Full prius shalbe granted by discretio of the Justices vpon the distress/ and every of the said petit iury may appere & answer by attourney in the said Atteint. And that the moite of the sayd forfaiture of the petit iurie shalbe leuied to shule of our soueraygne lord by Capias ad satisfaciend. or fieri fac. or Elegit/ or by action of det ayens every person of the petit iurie so forfaitynge/ and ageynst his executors & administrators having the sufficient goodes of their said testatour not administered/ and the other moite shall by like procces be leuied to the vse of the partie that sueth any atteynt gyven by this acte ageynst every of the sayde petite iurie and his executors or administrators/ havinge than sufficiencie of goodes as is afore sayd not administered/ And the iugement of restitution to the partie greued synge this acte & execution of the same to be had/ & lyke iugement for the party defendaut or tenat to be discharged of restitution as afore this present acte in case of a graud atteint hath ben bled. And if there be dyuers pleyntifes or demaunders in atteynt/ that the nonsuite or releffe

of

of any of them shal not be in any wise hurtful or prejudicial to the residue/ but that they & every of them in suche cases may be sold and severed lyke as it is used whan there be dyvers demandantes in actions real.

¶ Best also ordeyned & enacted by thautozite above said/ & in every writ of Atteint hereafter to be taken by or vpon this acte/ the which shalbe suche as other writtes of Atteynt be/ and after the Telle of the same writ shal be written these wordes in latin: Per statuf continuat p[er]q[ue] annu vicefimu ter-

cium dñi Venti octavi dei gratia Anglie & Franc regis, fidei defensor dñi Hibern.

¶ And it is also enacted/ that this acte shal take effectte for verdictes here after to be gyven/ and to continue to the laste day of the next parliament. ¶ Doubtyd alway that this acte be not prejudicial to a statute made in the .xi. yere of the late kyng of famous memorie Henry the .viii. for punyshment of perjurie in vntreue verdictes gyven in playntes sued in the courtes of the citie of London/ but that it shalbe at the libertie of all persons for and vpon any vntreue verdicte gyven in any courtes of the same cite/ to sue theyr Atteynt vpon this estatute/ or els vpon the sayd estatute made in the sayd .xi. yere at theyr owne pleasures and wylls.

¶ An acte that no brewers of bere or ale shal make theyr barrells kylber- kyns nor fyryngs within them/ and howe moche the same barrells kylberkyns and fyryngs shal conteyne.



Where the ale brewers and bere brewers of this realme of England have used and dayly do use for their owne singular lute profite and gayne to make in theyr owne houses theyr barrells kylberkyns and fyryngs of moche lasse quantite contente race and assise than they ought to be/ to the great hurte preiudice and damage of the kynges hege people/ and contrarie to divers actes statutes ancient lawes and customes hitherto made had and used and to the destruction of the poore craft of mistere of coupers/ forre formation wherof be enacted by the kyng our soveraygne lord/ the lordes spiritual and temporal/ and the commons in this present parliament assembled/ and by autozite of the same/ that no bere brewer nor ale brewer/ that shal brew to sale bere or ale shal from hensforth occupy by himselfe/ nor by any other to his use in his house nor els where the mistere of craft of coupers/ nor make any barrells kylberkyns fyryngs or other vessels by hym selfe/ nor by his or theyr owne servants/ wherby they shal put theyr bere or ale to sale/ but that al suche barrells kylberkyns and other vessels of woode/ wherby they shal put theyr bere or ale to sale/ shal from hensforth be made & marked according as hereafter shalbe expressed/ by the comon artificers of coupers exercised & practised in the sayd occupation/ vpon paine to forfeite & pay for every suche barrell kylberkyn fyryng or other vessel/ hereafter to be made contrary to the tenor of this act. ut. s. m. d.

And



And be it also enacted/that every artificer of the craft or mystery of coupers/that will exercise or practise to make any of the sayd vessels for bere or ale to be put to sale/shall make the same vessels and euery of them of good and reasonable wodde/ and putte his propre marke vpon euery of them. And that every barrell for bere shall conteyne. xxvi. galons/ every kyldekyne for bere. xviii. galons/ and every firkyn for bere nyne galons of the kynges standerde galon. And that every barrell for ale shall conteyne. xxiii. galons/ every kyldekyne for ale. xvi. galons/ and every firkyn for ale. viii. galons of the kynges standerde galon/ So that they shall be of good and iuste measure/ or elles above and not vnder. And that no couper shall make any other vessel for bere or ale to be solde within this realme of any greater or lesser nombze of galons than is abovesayd/ one les he shall cause to be marked vpon euery suche vessel/ that he shall so make of greater or lesser nombze of galons/ the true and certayne nombze of as many galons as euery suche other vessel shall conteyne/ to the intent that every person may knowe the content therof.

And that no suche artificer of coupers shall enhaunce the prices of any suche barrells kyldekyns firkyns or other vessels in the sale of them to any ale brewer or bere brewer or other persone/ but kepe the rates of suche prices as hereafter ensueth/ and not above/ vpon payne to forsaite for every barrell kyldekyne and firkyn defectiue or enhaunted in price in any poynte contrary to this acte. iii. s. iii. d. That is to say for every bere barrell. ix. d. for every bere kyldekyne. v. d. and for every bere firkyn. iii. d. And the ale barrell. xvi. d. the ale kyldekyne. ix. d. and the ale firkyn. v. d.

Also be it further enacted by the sayd auctorite/ that no bere brewer nor ale brewer at any tyme after the feast of Laimmas now nexte commyng shall put theyr bere or ale to sale to any person or persons to be spent and occupied within this realme in any other barrells kyldekyns firkyns or other vessels of wodde/ other than shall be made and marked by an artificer of coupers abovesaid/ wherof every barrell for bere shall conteyne and holde. xxvi. galons/ every halfe barrell or kyldekyne. xvi. galons/ and every firkyn. ix. galons. And every barrell for ale shall conteyne. xxiii. galons/ every kyldekyne. xvi. galons. and every firkyn. viii. galons of full and iuste measure or above/ and nat vnder that measure. And that every bere brewer and ale brewer shall not take buer and above for every suche barrell kyldekyne or firkyn of ale and bere/ but after suche prices and rates as shall be thought conuenient and sufficient by the discretions of the Iustices of peace within every shyre/ where suche bere brewer and ale brewer shall dwell without any cite borough or towne corporate/ where no heed officers/ as mayres baillyffes shyreffes and other heed officers haue none auctorite nor rule/ & in every cite borough and towne/ where there be mayres shyreffes or other heed officers/ the same rates & prices to be named and celled by them & euery of them by their discretions. And that the sayd

alebzwers or bere bzuwers at any tyme hereafter shall not selle their bere nor ale at any hygher rates or pryces than shall be to them assigned after the fourme aboue rehearsed/ upon payne to lose and forfayt for every barrell so put to sale contrary to this estatute. vi. s. for every halfe barrell or kyl-derkin. iii. s. iii. d. and for every fytkin. ii. s. and for everie vessell conteynynge greater nombze of galons. x. s. and for every other vessell conteynynge lesser nombze of galons. xii. d. The one halfe of all the whiche penalties and forfaytures to be to the kynge our souerayne lord/ and the other halfe to hym that wll sue for the same/ by action of dette byll playnt or information in any of the kynges courtes / in whiche action and suite the defendgunt shall not wage his lawe/ nor any essoyne / protection / or privilege to be admptted.

**¶** Be it also further enacted by the sayd auctoritie/ that all maner of sope makers within this realme of Englande/ whiche shall put to sale any sope by barrell halfe barrell fytkyn or other vessell/ shall from Lammas nowe nexte comyng make or cause to be made their barrells halfe barrells fytkins and other vessells accorдынge to the rates contentes weygthes and assises of olde tyme bled and accustomed/ that is to saye everie empty barrell to holde and conteyne. xxxii. galons or aboue / and to be in weyghte. xxvi. poundes / and not aboue of full and iust measure : and every halfe barrell empty to be in weyghte. xiii. li. and not aboue / and to holde and conteyne xvi. galons or aboue : and every fytkyn empty to weye. vi. poundes and an halfe & not aboue / and to holde and coteine. viii. galons or aboue / upon payne of forfayture for every suche barrell halfe barrell fytkin or other vessell hereafter to be made had or bled contrarie to this acte. iii. s. iii. d.

**¶** And also be it enacted by the auctorite aforesaid, & the wardes of thocupation or misterie of coupers within the cite of London from hensforth at all tymes hereafter whan they shall thynke convenient and expedient/ takynge with them an officer of the maires shall haue full power and auctorite by vertue of this acte/ to serche biewe and gage all maner of suche barrells kylderkins fytkins and other vessells to be made or occupied for ale bere or sope to be put to sale within the cite of London / and suburbes of the same / and within two myles compass without the same suburbes / to biewe and se that the same barrells kylderkyns fytkyns and other vessells / as well within liberties as without be made & marked well & sufficiently / and beare and coteine their true contentes rates and mesures accorдынge to the effect of this estatute : And also to marke every suche barrell kylderkin fytkin & other vessell by them so biewed and gaged bearing and conteining their true cōtentes / with the signe & token of a seint Antonies crosse. The same wardens to haue for the serche and gaging of every such barrell kylderkin fytkin and other vessell by them so serched biewed gaged & marked one ferthyng / and not aboue / of the owners or makers of the sayd vessells. And shall and may haue auctoritie by vertue of this acte to reteyne every

euery suche vessel as they shall so gage serche and marke/ vnto suche tyme as they shall be satisfied therof. And in case they shall fynde any of the sayde vessels defectiue / not bearynge theyr true contentes / that than by auctoritie of this acte they may seale take and reteyne euery suche vessel/ and cause the same to be marked or amended accoꝝdyng to the trewe content/ or els cause the same to be bzenned. And also the partie owner of such vessel to lose and forsayte for euery suche vessel not beinge of the full contentes after the rate aboue expessed. xii. d. to be recouered and employde as is abouesayd.

**A**nd be it further enacted by the sayde auctoritie/ that in all other cities bozowes and townes/ wherein no suche wardens of coupers be / that the mayres shyreffes bailiffes constables or other heed officers in suche cities bozowes and townes shall haue power and auctoritie to serche vicwe and gauge all suche barrells kyldekyngs fykyngs and other vessels to be made hereafter in any suche cite bozowe or towne / and to haue and take all suche auantage therby and in lyke maner and fourme as the wardens of coupers within the cite of London or other persons by this acte shuld or may haue or take on euery behalfe.

**E**mpoynded alwayes that euery bere brewer may kepe in his house one or two seruantes of the misterie or crafte of coupers to houpe and amende his barrells kyldekyngnes fykyngs and other vessels/ wherein they shall put their bere to sale from time to tyme, this acte or any thing therein contened to the contrary in any wyse not withstandyng.

**A**nd be it further enacted by the sayde auctoritie/ that if any persone at any tyme after the sayd feast of Lammes nexte comynge do mynyshe or cause to be mynysied any maner of barrell kyldekyng or fykyng to the decepte of any the kynges subiectes by reason of takynge out the heed of any suche vessel, or takynge out of any staffe out or from any suche vessel/ that than euery suche vessel to be bzente/ and thoffender to forsayte for euerye suche offence. iii. s. iiii. d. the one moytie therof to be to the kyng out souerapnye lord, and thother moytie therof to hym or them of the kynges subiectes that woll sue for the same/ to be recouered in maner and fourme aboue reherfed. And the partie so offendynge to be further punished by the discretion of the heed officer or officers/ befoze whom suche defaulte shalbe presented.

**I**t is enacted by auctoritie of this presente parlyament / that not withstandyng any thyng contened in this acte of brewers and coupers/ wherunto this Cedula is annexed / hit shall be lefull to euerye ale-brewer mencioned in the same acte to haue and reteyne in his seruice one persone of the misterie or crafte of coupers / to exercise in his seruice the crafte of a couper / only in byndyng houpyng & pinnyng his matsters ale vessels recited by the sayde acte / and in none other wyse to vse or exercise any makynge of vessels concernyng the crafte or misterie of a couper/

B.ii.

whiles



whiles that he is in the seruice of any ale brewer. Also it is enacted / that every couper / whiche hereafter shall make any ale vessell specified in the sayde acte / shall from the feast of Penthecost nexte comynge make every such vessell accordynge to the assise specified in the treatise called *Compositio mensuraru* / that is to say every bartell for ale shall containe .xxii. galons of the sayde assise or aboue / of the whiche .xiii. galons make the common busshell to be vsed in this realme of Englande / every kylderkyn for ale .xvi. galons of the sayde assise or aboue / and every fyrkyn .viii. galons of assise or aboue / vpon payne of forfayture of .iii. s. iiii. d. for every of the same vessels by hym vntreuly made contrarie to this acte : the one halfe of the same forfayture to be to the kynge / and thother to hym that wolle sue for the same by action of dette by plaint wrytte or otherwise : In whiche action none elsoen protection or wager of lawe shall be allowed.

¶ And be it also enacted that every couper marke his vessel with his owne marke / vpon peyne of .iii. s. iiii. d. to be leued and recovered after like manner and forme as is abouesayd. And that no maner of person in the serche makynge for the true gaugynge of any such vessels / shall put out the ale of any such vessell / wherby the same ale shalbe the worse. And that it shall be lafull to every ale brewer to brynge carie and cause to be brought and caried their ale to the householdes of our soueraygne lord the kynge / the quene / the princes / and to every archebysshops / bysshoppes / dukes / marshalles / Erles / barons / or other honorable mennes houses in tonnes buttes pypes hoggesheedes / or other vessels of greater or larger quantite than is expresse in this present act, as befoze time hath ben vsed in that behalfe. And also it shall be lefull to the sayd ale brewers to brynge carie or cause to be brought conueyde or caried theyr ale to euery mans house in barrells kylderkyns and fyrkyns bearynge and holdynge theyr trewe contentes accordynge to the purporte and effecte of this present acte / any thyng conteyned in the same acte to the contrary hereof not withstandynge.

¶ A generall acte concernynge commissions of sewers to be directed in all partis within this realme.



Our soueraygne lord the kynge lyke a vertuous and mooste gracious prince / nothynge erthely so highlye wepynge as the aduancynge of the common profite welthe and commoditie of this his realme / considerynge the dayly greatte damages and losses / whiche haue happened in manye and dyuers partis of this his sayde realme / as well by the reason of the outrageous flowynge surges and course of the see / in and vpon marthe groundes and other lowe places heretofore throughe polityke wysedome wonne and made profitable for the great common welthe of this realme /

as

as also by occasion of lande waters and other outragious springes in and vpon meadowes pastures and other lowe groundes adioynynge to ryuers fluddes/ and other water courses: And ouer that by and through mylles myldammes weres fyllhegarthes kedels gores gootis fludgates lockes and other impedymentes in and vpon the same ryuers and other water courses/ to the inestimable damages of the common welth of this realme/ whiche dayly is likely moze and moze to increace / onelesse speede redresse and remedy be in this behalfe shortly prouided: wherein all be hit that dyuers and many prouisions haue ben befoze this tyme made and ordeyned/ yet none of them are sufficient remedy for reformation of the premisses/ hath therfoze by deliberate aduise and assent of his lordes spirituall and temporall / and also his lounge commons in this presente parlyament assembled, ordeined establyshed and enacted/ that commissions of sewers and other the premisses shall be directed in all partis within this realme from tyme to tyme / where and whan nede shall require/ accor dyng to the maner fourme tenour and effecte hereafter ensuenge/ to suche substantiall and indifferent persons as shalbe named by the lord Chancellor and lord Treasaurer of England/ and the two chiefe Justices for the tyme being/ or by thre of them/ wherof the lord Chancellor to be one.

Henry the. viii. etc. Knowe ye that for as moche as the walles dyches bankes gutturs sewers gores calceis bridges streames and other defenses by the costes of the see, and marshy grounde beyng and lyeng within the lymittes of A. B. or C. in the countie or counties of or in the borders or confynes of the same by rage of the see/flowynge and reslowynge / and by meane of the trenches of freshe waters descen dyng and hauynge course by dyuers wayes to the see / be so dirupte lacerate and broken / And also the common passages of shyppes balengers and botes in the ryuers streames and other fluddes within the lymittes of A. B. or C. in the countie or counties of or in the borders or confynes of the same by meane of lettynge byppe erectynge and makynge of streames mylnes byddges pondes fyllhegarthes myldammes lokkes hebbynge weres heckes and fludgates / or other lyke lettes impedimētes or anoylances be letted and interrupted / So that great and inestimable damage for defaute of reparation of the sayde walles dyches bankes fences sewers gootes gutturs calceis bridges and streames / And also by meane of lettynge byppe erectynge makynge and enlargynge of the sayde fyllhegarthes myldammes lockes hebbynge weres heckes fludgates and other lyke anoylances in tymes paste / hath happened / and yet is to be feared / that farre greater hurte losse and damage is lyke to ensue/ onelesse that speede remedy be prouided in that behalfe. We therfoze for that by reason of our dignitie and prerogative royall we be bounde to prouyde for the safetye and preservation of our realme of Englande/ wyllynge that speede remedy be had in the premisses/ haue assigned

B.iii.

you

you and sixe of you, of the whiche we wolle that A. B. and C. shall be thre to be our Justices to suruey the said walles streames ditches bankes gutters sewers gates calceis bridges trenches milnes mildainnes fludgates ponde lockes hebbing weres and other impedimentes lettes and anoylances afoze saide/and the same cause to be made coꝛrected repaired amended put downe oꝛ refourmed/as case shall require after your wysdomes and discretions / And therein as well to ordeyne and do after the fourme tenour and effecte of all and syngular the estatutes and ordenances made befoze the fyrst day of Marche. the.xiii. yere of our reigne/ touchyng the pꝛemisses oꝛ any of them / as also to inquire by the othes of the honeste and lauffull men of the sayde shyre oꝛ shyres place oꝛ places / where suche defautes oꝛ anoylances be as wel within the liberties as without (by whom the trowth may the rather be knowen) thꝛough whose defaute the sayde hurtes and damages haue happened / and who hath oꝛ holdeth any landes oꝛ tenementes oꝛ comon of pasture oꝛ pꝛofite of fylshyng/oꝛ hath oꝛ may haue any hurte losse oꝛ disauantage by any maner of meanes in the sayd places/ as well nere to the sayd daungers lettes and impedimentes/as inhabitynge oꝛ dwellynge there aboutes by the sayd walles ditches bankes gutters gottes sewers trenches and other the sayd impedimentes and anoylances. And all those persons and euery of them to taye assesse charge discreine and punishmente as well within the metis / limites and boundes of olde tyme accustomed oꝛ otherwise as els whete within our realme of Englande, after the quantite of theyꝛ landes tenementes and rentes by the noubꝛe of acres and perches / after the rate of euery persones poꝛtion tenure oꝛ pꝛofite/ oꝛ after the quantite of theyꝛ commune of pasture oꝛ pꝛofite of fylshyng oꝛ other commodities there/ by such wayes and meanes and in such maner and fourme/as to you oꝛ .vi. of you/whetof the sayd A. B. and C. to be thre/ shall seme most conuenient to be ordeyned and done foꝛ redꝛesse and refoꝛmation to be had in the pꝛemisses : And also to refourme repaire and amende the sayd walles ditches bankes gutters sewers gates calceis bridges streames and other the pꝛemisses in all places nedefull : and the same as often and where nede shall be to make newe / And to clense and purge the trenches sewers and ditches in all places necessarie/ And further to refourme amende pꝛostrate and ouerthrowe all suche mylles streames ponde lockes fylshygatthes hebbynge weres and other impedimentes and anoylances afozesayde / as shall be founde by inquisition oꝛ by your surueynge and discretions to be excessiue oꝛ hurtfull. And also to depute and assigne diligent faithfull and trewe keepers bailiffes suruypours collectours expenditours and other ministers and officers foꝛ the sauettie conservation reparation refoꝛmation and makynge of the pꝛemisses and euery of them/and to here the accompte of the collectours and other ministers of and foꝛ the receite and leynge out of the money that shall be leued and payde in and about the makynge repayynge refourmyng and amen-



amendynge of the sayde walles diches bankes gutters gotes sewers calceis bypoges streemes trenches mylnes pondes lockes fyllhegarthes fludgates and other impedymentes and annoyances aforesayde. And to distreyn for the arreages of euery suche collection tare or assesse as often as shall be expedient / or otherwyle to punyshe the dettours and deteyners of the same by fynes amerciaementes peynes or other like meanes after your good discretions. And also to arrest and take as many cartes hores oxen beastes and other instrumetes necessaie / and as many workmen and labourers as for the said workes and reparation shal suffice / payenge for the same competent wages salarie and stipende in that behalfe: And also take suche & as many trees wodes underwodes and tymbre and other necessities / as for the same workes and reparations shal be sufficiente at a reasonable price by you or syre of you / of the whiche we wyl that A. B. and C. shal be thre to be assessed or limited as wel within the limites and boundes aforesayde / as in any other place within the sayde countie or counties nere vnto the sayde places / And to make and ordeyne statutes ordinaunces and prouisions from tyme to tyme as the case shal require for the sauegarde conseruation redresse correction and reformation of the premysse and of euery of them / and the parties lyenge to the same necessaie and behouefull after the lawes and customes of Romney marsh in the countie of Kent or otherwyle by any wayes or meanes after your owne wysedomes and discretions. And to here and determyne al and singular the premysse / as wel at our suite as at the sute of any other what so euer / complaynyng befoze you or. vi. of you / wherof A. B. and C. shal be thre / after the lawes and customes aforesayde / or otherwyle by any other wayes and meanes after your discretions. And also to make and direct al writtes preceptes warrantes or other comandementes by vertue of these presentes / to all shereffes bayliffes and all other ministers officers and other persones / as well within liberties as withoute / befoze you or syre of you / wherof the sayde A. B. and C. to be thre / at certayne dayes termes and places to be presued / to be returned and recepued / And further to continue the proces of the same / and finally to do all and euerye thyng and thinges / as shall be requisite for the due execution of the premysse by all wayes and meanes after your discretions. And therefore we commaunde you / that at certayne dayes and places / whan and where ye or syre of you / wherof the sayde A. B. and C. to be thre / shal thynke expedient / ye do suruey the sayde walles fences diches bankes gutters gotes sewers calceis pondes bridges riuers streames water courtes mylnes lockes trenches fyllhegarthes fludgates and other the lettes impedimetes and annoyances aforesayde / and accomplishe the fulfyll here and determyne all and singular the premysse in due forme and to the effecte aforesayde / after your good discretions: And all suche as ye shal fynde negligent gaynsaying or rebelynge in the sayd workes reparations or reformation of the premysse / or negli-

negligent in the due execution of this our Commission/that ye do compell them by distresse fines and amerclamentes or by other punysshementes wayes or meanes/ whiche to you or lyke of you/ wherof the said A. B. and C. shall be thre/ shall seme most expedient for the speedy remedy redressse and reformation of the premises and due execution of the same. And all suche thinges as by you shall be made and ordeyned in this behalfe/ as wel within libertie as without/ that ye do cause the same hymely to be obserued/ doing therein as to our Justices apperteineth after the lawes and statutes of this our realme and accordeyng to your wysdomes and discretions.

Saved alwayes to vs suche fines and amerclamentes as to vs therof shall belonge. And we also commaunde our shyppes or shyppes of our sayde countie or counties of \_\_\_\_\_ that they shall cause to come

before you or lyke of you/ of the whiche A. B. and C. shall be thre/ at suche dayes and places as ye shall appoynte to them suche and as many honest men of his or their baillwyke as well within the libertie as without/ by whome the trouthe may beste be knowne/ to inquire of the premises. Commaundyng also all other ministers and officers as well within libertie as without/ that they and euery of them shall be attendant to you in and aboute the due execution of this our commission. In wytnesse wherof we haue caused these our letters patentes to be made. wytnesse our selfe at westm the \_\_\_\_\_ day of \_\_\_\_\_ in the \_\_\_\_\_ yere of our regne.

And it is also enacted/ that euery suche person as shall be named Commissioner in the sayde Commission / after he hath knowlege therof / shall effectually put his diligence and attendance in and about the execution of the sayd Commission. And before he shall take vpon him the execution of the sayd commission / he shall take a corpozall othe before the lord Chancellor / or before suche to whom the sayde lord Chancellor shall directe the kynges writte of *Deimus potestatem* / to take the same / or before the Justices of the peace in the quarter sessions holden in the shire where such commission shall be directed: the tenor of whiche othe hereafter ensueth.

Ye shall sweere/ that you to your counnyng witte and power shall truly and indifferently execute the auctorite to you pouen by this Commission of *Sewers* withoute any fauour affection corruption drede or malice to be borne to any maner persone or persons: And as the case shall require ye shall consent and endeour your selfe for your parte to the best of your knowlege and power to the makinge of suche holssome iuste equall and indifferent lawes and ordinañces/ as shall be made and diuised by the most discrete and indifferent nombze of your felowes being in commission with you for the due redressse reformation and amendement of all and euerye suche thynges/ as are conteyned and specified in the sayd Commission: And the same lawes and ordinañces to your counnyng witte and power cause to be put in due execution/ without fauour mede drede malice or affection as god you helpe and all seyntes.

And

**A**nd it is also enacted by the auctorite afoze sayde / that all and euery estatute acte and ordenance here tofoze made concerninge the premisses or any of them / as well in the tyme of our souerayne lord the kynge that now is / as in the tyme of any of his progenitours kynges of this realme of Englande / not beinge contrary to this presente acte / nor here tofoze repelled / from hensforth shal stande and be good and effectual for euer / and to be put in due execution accoꝝdyng to the trewe meanynge and purpoꝝtis of the same.

**A**nd ouer that be it enacted / that the commissioners here after to be named in any of the sayde Commissions accoꝝdyng to the purpoꝝte and effecte of the same commissions / haue full power and auctorite to make constitute and ordeyne lawes ordnances and decrees / and further to do all and euery thyng mentioned in the sayde commission accoꝝdyng to the purpoꝝte effecte wordes and trewe meanynge of the same / And the same lawes and ordnances so made to refoꝝme repelle and amende / and make newe from time to time / as the cases necessary shal require in that behalfe.

**P**rouided alwey and it is enacted / that if any person or persons bringe assessed or taxed to any lot or charge for any londes tenementes or hereditamentes within the limites of any commission here after to be directed / do not pay the sayde lotte and charge accoꝝdyng to the ordenance and assignement of the Commissioners / hauinge power of the execution of the sayd commission / By reason wherof it shal happen the sayde Commissioners hauynge power of execution of suche Commission / for lacke of payement of suche lotte and charge to decree and ordeyne the same londes tenementes and hereditamentes from the owner or owners therof and their heires and the heyres of euery of them / to any person or persones for terme of yeres terme of lyfe in fee simple or in tale for paiement of the same lotte and charge / that than euery suche decree and ordenance so by them made ingrossed in parchment / and certified vnder theyꝝ scales in to the kynges courte of Chancery / with the kynges roiall assente had to the same / shal bynde all and euery person and persones / that at the makynge of the same decree had any interest in suche londes tenementes or hereditamentes in hys possession reuersion or remayndꝝ theyꝝ heyres and feoffes and euery of them / And not to be in any wyse refoꝝrmed onles it be by auctorite of parliament here after to be somoned and holden within this realme.

**A**nd also it is prouided by auctorite afoze sayde / that the same lawes ordnances and decrees to be made and ordeined by the sayd commissioners or syꝝe of them by auctorite of the said commission shal bynde as well the londes tenementes and hereditamentes of the kyng our souerayne lord / as al and euery other person and persones and theyꝝ heires for suche their interest as they shal fortune to haue or may haue in any londes tenementes or hereditamentes or other casual pꝛofite aduantage or commodite what so euer they be / where vnto the sayde lawes ordnances and decrees shal in



shall in any wyse extende accordyng to the trewe purpozte meanynge and intent of the same lawes.

And it is furthermoze by the auctozite afoze sayde establisshed and enacted/that if any maner of person oꝝ persons of what estate oꝝ degre so euer he oꝝ they be of / that from hensfoꝝth doth take vpon hym oꝝ them to lytte by vertue of any of the sayde commissions/not beinge befoze swozne in foure as is afoze sayde / and accoꝝdyng to the tenoꝝ of the othe afoze specified: Oꝝ if any person so named & swozne do lytte as is afoze sayd/ not hauynge londes and tenementes oꝝ other hereditamentes in fee simple fee tayle oꝝ foꝝ terme of lyfe to the clere perely value of. xl. markes aboue all charges to his owne vse/except he be resiant and fre of any cite boꝝowe oꝝ towne coꝝporate/and haue mouable substance of the clere value of one hundred poundes/ oꝝ els be lerned in the lawes of this realme in and concernynge the same/ that is to saye admitted in one of the foure principall Jynnes of courte foꝝ an vtter barrestre/ shall foꝝsaite fourty poundes foꝝ euery tyme that he shall attempte so to do: The one halfe therof to be to our soueraygne loꝝde the kynge / and the other halfe therof to the vse of hym oꝝ them that wyl sue therfoze by action of dette byll plapnt oꝝ infoꝝmation in any of the kinges courtes: in whiche action oꝝ suite no wager of lawe shall be admitted/ noꝝ any esloyne oꝝ protection shall be allowed. And if any action of trespas oꝝ other suite shall happen to be attempted agayne any persone oꝝ persones foꝝ takynge of any distresse oꝝ any other acte doynge by auctozite of the sayde commission / oꝝ by auctozite of any lawes oꝝ oꝝdinances made by vertue of the sayde commission/ the defendant oꝝ defendantes in any suche action shall and may make auowꝝy conuissance oꝝ iustification foꝝ the takynge of the same distresse oꝝ other acte doynge touchynge the premysse oꝝ any of them/alleginge in suche aduowꝝy conuissance oꝝ iustification / that the sayde distresse trespas oꝝ other acte/ wherof the pleyntife compleyneth/ was done by auctozite of the commission of Sewers foꝝ lotte oꝝ taxe assessed by the sayde commission / oꝝ foꝝ suche other act oꝝ cause/as the said defendant dyd by auctozite of the sayd Commission and accoꝝdyng to the tenoꝝ purpozte and effecte of this present acte made the. xxiij. yere of the reigne of our soueraygne loꝝde kynge Henry the. viii. without any expꝛessynge oꝝ reherfall of any other matter oꝝ circumstance conteyned in this present acte / oꝝ any commission lawes estatutes oꝝ oꝝdenances therbyon to be made/wherbyon the pleyntife shal be admitted to replie/that the defendant dyd take the sayde distresse oꝝ do any other acte oꝝ trespas supposyd in his declaration of his owne wꝝonge without any suche cause alleged by the sayde defendaunt/wherbyon the issue in euery suche action shall be ioynd to be tryed by verdict of. xii. men/and not otherwyse / as is accustomed in other personall actions. And vpon the tryall of that issue the helle matter to be gyuen on bothe partyes in euidence accoꝝdyng to the verye trouthe of the same.

And

And after suche issue tried for the defendant or nonsute of the pleyntife after apparance/ the same defendant to recouer treble damages by reason of his wrongfull veration in that behalfe with his costes also in that parte susteyned: and that to be assessed by the same Jurie / or wyttte to inquire of damages/as the cause shall require.

And it is also enacted / that euery of the sayd commissioners shall haue and perceyue foure shelynges for euery day that they shall take payne in the execution of this commission of Sewers / And one clerke by them to be assigned. ii. s. for euery day/ of the rates taxes lottes and waynes that shall be assessed or losse by auctorite of the sayde Commission / and to be leued and payde by their discretions. And that the sayde commissioners or sixe of them shall haue power and auctoritie to limytte and assigne of the same rates taxes lottes and waynes by theyr discretions suche reasonable sommes of moneye to the sayde clerke for wyptynge of bookes and proces concernynge the premisses / and to the collectours expeditours and suche other as shall take payne in the due execution of the sayde commission / as by the discretions of the sayd commissioners or .vi. of them shall be thought reasonable.

Wherbyd alway that whan so euer and as often as suche Commission / as is afoze limited / shall be made and directed to any person or persons for the reformation and amendement / of or in any of the premisses specified in the sayde commission within the fees liberties or possessions of the duchie of Lancastre / that than suche Commissioners as shall execute any suche Commission shall be alweys named and appoynted by the discretion of the lord Chaunceler and lord Treasaurer of Englande and the sayde two chiefe Justices of either benche / and the Chanceler of the sayde duchie for the tyme beinge / or thze of them / wherof the sayde lord Chaunceler and the Chaunceler of the duchie to be two. And that in euery suche case two Commissions shall be awarded and made accordynge to the tenor of the Commission aboue expzessed / one therof vnder the great seale of Englande / and the other vnder the seale of the same duchie / as befoze tyme hath ben accustomed / any thyng afoze reherced in this present acte to the contrary hereof not withstandynge.

And it is further enacted / that the sayd commissions from time to time / as the case shall require / shall be hadde and opteyned without any money or other charge to be payde for the seales or wyptynge of the same / onlesse it be to the kyng. ii. s. vi. d. for the seale of euery Commission as hath be accustomed: And for the wytyng and enrollynge of any one Commission. v. s. and not aboue.

And it is further enacted / that euery commission to be made by auctoritie of this acte shall endure and cōtinue for the terme of thze yeres / nexte after the Teste of the Commission. Neuer the lesse after any commission made and deliuered out of the kynges Court of Chancery / the kynges highnes shall

shall alweyes at his pleasure by his wytte of Supersedeas / out of his sayde courte of Chancery at any tyme discharge as well euery suche commission as euery commissionet that shall be made or named by auctorite of this acte. After whiche discharge the sayde commissioners shall haue no power nor auctorite to procede in the execution of theyr commission / nor in any thyng by auctorite of this acte.

**P**rouided alweyes that suche lawes actes decrees and ordinaunces as shall happen to be made by the sayde commissioners accordyng to the tenor of theyr commission or by auctorite of this acte shall stande good and effectuell and be put in due execution so longe tyme as theyr commission endureth and no longer : Excepte the sayd lawes and ordinaunces be made and ingrossed in parchment / and certified vnder the seales of the sayde commissioners into the kynges courte of Chancerie / and than the kynges roiall assent be had to the same : Any thyng conteyned in this present acte to the contrary hereof not withstandinge.

**P**rouided also that whan so euer and as often as suche commission as is afore limited shall be made and directed to any person or persones for the reformation and amendement of or in any of the premisses specified in the sayd commission within the fees liberties and possessions of the principallite of wales / the countie palantine of Cheshire / or within the fees liberties and possessions of any other place / where there is libertie and iurisdiction of countie palantine / that in euery suche case two commissions shall be awarded and made accordyng to the tenor of the commission aboue expressed / one therof vnder the great seale of Englands / and the other vnder the vsuall seale of the countie palantine in maner and forme as is aboue prouided for the duchie of Lancastre / any thing afore rehered in this present acte to the contrary not withstandinge.

**A**nd it is prouided and also enacted / that the roial assent limited to be had vnto the lawes and ordinaunces to be made by the said commissioners / as is abouesayde / shall be certified in to the sayd courte of Chancerie vnder the kynges priuie seale : And that there shal not any somme of money be payde for the same priuie seale / but for the wytyng of the same Certificat vnder the sayde priuie seale shalbe payde to the wyter therof. ii. s. and not aboue / nor no other nor greater somme for any thing touching or concerning the same Certificat vnder the same priuie seale.

**P**rouided alweyes that the Chancellours and suche other as shall haue the custodie of the seales of the sayd principallite of wales or the countie palantine of Cheshire / or within the fees liberties and possessions of any other place / where there is libertie and iurisdiction of countie palantyne vpon reasonable request / and vpon the syght of the commission vnder the kynges great seale of his Chancerie / shall without delaye make out an other commission vnder the seale of the sayd countie palantine accordyng to the tenor of the kynges commission to them shewed vnder his great seale.

And



And to those commissioners as shall be named by the lord Chauncellour/ lord Tresaurer/ and the two chiefe Justices/ or by thre of them/ wherof the lord Chancellor to be one/ excepte it be within the fees and liberties of the duchie of Lancastres/ within whiche fees and liberties the commiſſioners shall be named and commiſſions made/ as is afore ordeyned by this acte/ any thyng conteyned in the sayd acte/ or in any prouiso there vnto addeo and annexed to the contrarie therof not withstandynge. This acte to endure for. xx. yeres.

**C**An acte concernynge before whom recognisances of dettes shalbe made/ and the fourme of the obligation. vi



And as moche as the mayres of the Stapull in dyuers places of this realme/ where any stapull is kepte/ in the presence of the constables of the same stapull before this tyme hathe and myght lausfully take reconisance or knowlege for dettes/ onely concernynge and touchynge the marchaundise of the same stapull/ betwixte marchant and marchant of the same stapull/ accordynge to dyuers laudable estatutes and prouisions before this tyme had ordeyned and made. whiche mayres and constables many and sondry tymes syns the makynge of the same estatute haue taken dyuers recognisances and knowleges of diuers of the kynges subiectes for dettes/ surmisynge the same knowlege or recognisance to be made for suretie of payment of sommes of moneye for suche wares as were or ben boughte in the same Stapull: wherof trouthe the same reconisance dyd not in any wise touche or concerne the marchaundise of the same/ ne also the parties/ that is to say the cognisor ne the cognisee/ that dyd knowlege and take the same reconisances/ were marchantes of the same stapull: whiche recognisances and knowleges/ taken in forme afore sayde/ are not onely clete contrary to the trewe meanyng and intent of the same former estatutes/ but also therby diuerse great and sondry inconueniences damages and deceytes do dayly ryle and growe to diuers of the subiectes of our souerayne lord the kyng by reason of the misusynge of the same. And for as moche as the kynges hyghnes of his most hygh wysdom percepueth the misusynge and execution of the same to be contrarie to the forme of the sayde former estatutes/ Therfore his pleasure is/ that some trewe lausfull and reasonable bonde for suretie of payment of the sayde dettes of his subiectes shall be made and diuised by trewe and iust meanes/ whiche in it selfe may and shal purporte right and equite and also consonant to reason.

**C**In consideration wherof/ by thassent of the kynges hyghnes/ his lordes spirituall and tempozall/ and his commons in this present parliament assembled and by the auctorite of the same/ it is enacted ordeyned and stablyshed/ that from the fyrst day of Apryll next comynge the chefe Justice  
C of

of the kynges benche and the chiefe Justice of the common place/ whiche now be/ or at any tyme hereafter shall be/ and euery of them by hym selfe/ and in their absence out of the terme the maire of the stapul at westmister/ and the recozder of the cite of London for tyme beyng ioyntly to gethers by his or their discretion shall haue full power and auctozite to take recognisances or knowleges of euery of the kynges subiectes for the payment of dettes accorbynge to suche forme as here after ensueth.

**C** Nouerint vniuersi per present me A. B. et D. L. armig. teneri et firmiter obligari Jobi at Style in L. li. sterling. soluend eidem Johanni aut suo cert atozn hoc scriptum ostend bered vel execut suis in tal. fest. .tc. proxi. futuri post dat presentiu. Et si deficero vel defecerim in solucione debis predict. volo et concedo, vel sic, Volumus et concedimus, qd tunc currat sup me bered et executores meos, vel sup nos et quemlibet nostru bered et execut nros pena in statuto Stapule de debis pro marcandis in eadem emptis recuperand ordinat et prouis. Dat tal die Anno regni regis. .tc.

**A**nd that euery obligation that shall be made / as is aforesayde / and knowleged befoze any of the sayde chiefe Justices/ or the sayd mayze and recozder accorbynge to this acte/ shall be sealed with the seale of the partie or parties/ that shall recognise or knowlege the same / and also with suche scale as the kynges hyghnes shall ordeyne and appoynt for the same, and with the seale of one suche of the sayde Justices / or with the seales of the said maire and recozder/ & with his or their name or names subscribed/ that so shall take the same recognisance or knowlege. And that euery of the sayde two Justices / and the sayde mayze and recozder shall haue the custodie of one suche seale by the kynges hyghnes to be appoynted / with one lyke pypnt scripture and fascion/ whiche shall seuerally remayne with them to thentent aboue reherfed.

**A**nd further be it enacted by the auctozite afoze said, that such an honest and discrete person/ as shall be assigned by the kynges hyghnes/ or the sufficient deputie or deputies of the same person so to be assigned/ shall make and write all suche obligations / as shall be knowleged and recognised by auctozite of this acte / and shall cause the same obligations recognised and knowleged in forme as is aboue sayde / to be enrolled in two seuerall rolles indented/ wherof one shall remayne with suche of the sayde Justices or with the sayde mayze and recozder/ that so shall take the same recognisance in fourme aforesayd/ and the other roll with the writer therof/ appoynted for the same. And that the sayd person by the kynges hyghnes to be appoynted for makynge writynge and enrollynge suche obligations, or his sufficient deputie or deputies shall be dwellynge or abydynge in the sayde cite of London / vpon peyne to forsayte for euery tyme that he and his deputie shall be absent by space of two dayes ten poundes.

**A**nd further it is enacted by auctozite aforesayd/ that the said person so to be assigned by the kynges hyghnes to write make and enroll suche obligations

gations oꝝ his sufficient deputie oꝝ deputies/at the request of the creditours theyꝝ executours oꝝ administratours shal certifie suche obligatiōs as shal be taken & recognised by auctorite of this acte / into the kynges courte of Chācerie vnder the seale of the said person so to be appoynted toꝝ wytyng making & enrolling such obligations. And yꝝ every pson & psons, to whom any suche obligation shalbe made knowleged & enrolled(as is aforesayd) theyꝝ executours & administratours / & the executours & administratours of every of them foꝝ default of payment of the dettes cōteined in suche obligations shal haue in every point degree & condicion apenst the said recognisoz & recognisozs and every of them/their heires executours and administratours / & the heires executours & administratours of every of them like proces execution commodite and aduantage in every behalfe/as hath ben vlsed and accustomed befoze this tyme to be had done oꝝ made of and vpon any obligation of the statute of the Stapull, and vnder suche maner and fourme as is foꝝ the same statute of the Stapull prouyded/payenge foꝝ suche proces and execution to be had suche lyke fees as is accustomed foꝝ proces and execution to be had vpon obligations of the same statute of the Stapull and not aboue. And that every suche person and persones that shal be bounden oꝝ otherwyle greued by vertue of any obligation to be made by auctorite of this acte/shal haue theyꝝ lyke remedy by Audita querela/ and al other remedies in the lawe/that they mought haue had/in case they had ben bounden by obligation of the statute of the Stapull. And that every suche person and persons that shal haue proces foꝝ execution to be had by reason of any suche obligation to be made and knowleged accordeynge to this acte / shal pay to the kynges hyghnes / his heires oꝝ succellours at the tyme of ensealynge of the proces foꝝ execution to be hadde / one halpeny foꝝ every pounce that shal be conteyned in the obligation / wher of execution shal be required and not aboue. And that every suche person and persones / that shal happen to haue any execution of any londres tenementes oꝝ hereditamentes by reason of any such obligations to be made and knowleged (as is aboue sayde) theyꝝ executours administratours oꝝ assignes, and the executours administratours & assignes of every of them/ if they oꝝ any of them ben put out oꝝ displeyd / shal haue lyke remedy in every poynt and condicion as persons haupng execution in and vpon any statute of the Stapull/after execution to them had / may oꝝ myght haue by vertue of the said wytyng obligatoꝛie of the statute of the Stapull and execution of the same. And further be it enacted by the auctorite aforesayde/ that every of the sayde Justices and the sayde mayze and recoꝝder / befoze whom any suche obligations shalbe recognised/shal take foꝝ every knowlege of every one suche recognisance. iiii. s. iiii. d. and not aboue : And the clerke that shal wyte make and enroll the same obligations .iii. s. iiii. d. And foꝝ the Certificat of every one suche obligation. x. d. And if any of the sayd Justices/maire/recoꝝder oꝝ clerke take of any of the kynges subiec-

C.ii.

tes



tes aboute the somme or somes to them limytted by this estatute/that than the sayd Justices maire recorder or clerke/that so shal take contrary to the forme aforesaid/shal forsayt for every tyme so offendynge fourty poundes.

**A**nd further hit is enacted by the auctoritie aforesayde / that from the sayd fyrst daye of Apryll no mayre or constable of the Stapull / for the payement of any somme or sommes of money / take any knowlege or recognisance of the sayde statute of the Stapull, of any of the kynges subiectes/ vpon payne to forsayte for every tyme so offendynge. xl. li. The one moite of all and singuler the sayd penalties to be to the kynges hyghnes/ and the other moite to the partie that wyl sue for the same. For the recovery wherof the partie that wyl pursue shal haue his remedy by information action of dette byll or playnt in any of the kynges courtes: in whiche no effoynz protection nor wager of lawe shalbe admytted.

**P**rouided alwaye that this acte nor any thyng therin conteyned be in any wyse preiudiciall or hurtfull to any mayre and constables of the Stapull for any bonde or wrytynge of the statute of the Stapull to be taken or receyued betwene marchantes being fre of the same Stapull/ for merchandise of the same Stapull betwene them laufully bought and solde.

**P**rouided also and be it enacted by thaurtozite aforesayde/ that all recognisances befoze this tyme taken befoze the maire and constables of any of the sayd Stapulls/ wherof the sommes now be nat payde or otherwyse contented laufully auoyded or discharged by the lawe/shalbe as good and effectual as though they had ben verily made for merchandise of the same Stapull and betwene marchant and marchant of the same Stapull/ and as they shulde haue ben/ if this acte had neuer ben had ne made.

**A**n acte that the statutes made for the mayntenaunce of the Hauie of this realme shal stonde in full strength/ and howe Gascopne and frenche wyne shal be brought in/ and the same and other wyne solde.      vii.



**W**here for the maintenance and good cōtinuance of the Hauy of this realme of Englande it was ordeined & enacted by a statute made in the. v. yere of the reygne of the right noble king Richarde the secōde/that none of the kinges liege people shuld shipp merchandise in any other shipp than in an englyshe shipp/ vpon peine of forsaiture of the said merchandise so shipped. And after that by an other statute made in the. vi. yere of the said noble kyng it was enacted/that for default of englyshe shippes every man might shipp their merchandises in strangers shippes. And after that at a parlyament holden at westm in the. iiii. yere of the late noble kyng of famous memorie kyng Henry the. vii. it was ordeyned and enacted/that no person shulde carie or bringe any wyne of Gascopne or Guyon or Coloos Ode into Englande wales

wales Irelande Calice/oz the marches therof/oz Barwike/but all only in shippes of England wales Irelande Calice oz the marches therof oz Barwike: And that the maister & marpnars of the same shippes for the mooste part of them shuld be of the same countres/vpon peyne of forfaiture of the said wyne & Ode/as by the sayd good estatutes moze at large is expessed. And not withstandynge the sayde good estatutes/yet neuerthelesse the flauie of this realme/and the multitude of the shippes of the same / whiche tofoze this tyme hath ben not onely a great defence & suertie to this realme of Englāde in tyme of warre/but also a hygh comodite to al the subiectes of y same for transporthyng and conueyance of marchandises in & from this realme is nowe metuaylously decayde and appayzed: and by occasion therof a great multitude of the kynges liege people / whiche were maisters and marpnars of shippes / and by the exercise therof they theyr wyfes and children had their lyuynge / be nowe mynysshed and empouerysshed in suche wyse/that within fewe yeres there shall be fewe englyshe men/ that shall be experte in the sees/to the great peryll of this realme and decaye of the people of the same/if remedy be not prouyded in this behalfe. In consideration wherof the kynges mooste royall maiestie of his mooste excellent gooddes/haunyng tender respecte to the reformation of the premisses is contented and pleased / that hit be enacted by his hyghnes and the lordes spirituall and temporall / and the commons in this pzeence parlyament assembled / and by auctoritie of the same/ that the sayde estatutes and euery thyng in them conteyned shall stonde in their full strength force and effecte / so that from hensforth no persone shall attempte to do contrarie to the tenours of any of the sayde estatutes vpon the peynes conteyned in the same.

¶ And it is further enacted by auctoritie aforesaid/ that no maner of person oz persons shal discharge and lay on londe out of any shipp oz shippes/ oz other vessell oz vessels any wyne of Gascoyne oz Guyon oz any maner of freche wyne at any haueyn port creke oz other place within this realme of Englande Irelande wales oz the marches of the same at any tyme hereafter betwene the festes of saint Michaell the arcangell & the purification of our lady/vpon peyne of forfaiture of the said wyne so brought in and discharged & leyde on londe at any tyme hereafter betwene the said feastes contrary to this acte. The one halfe of whiche forfaiture to be to the kyng our soueraine lord/& the other halfe therof to such of the kynges subiectes as shal lease oz sue for the same by action of detinue oz det after the rate of the value therof by originall wryt byll plaint oz information in any of the kynges courtes. In whiche actions and suites the defendant shall not be admitted to wage his lawe/nor any protection oz esson shall be allowed.

¶ And it is further enacted by auctoritie aforesaid/ that no pson after the feste of the purification of our lady/whiche shalbe in the yere of our lord god. M. D. xxxii. shall sell by retayle any of the sayd wyne above said.

C.iii.

the

the galon/that is to say a peny the pynt/two pence the quarte/foure pence the potell/and eyght pence the galon / vpon peyne of forsaiture for euery pynt to be solde aboue the sayde price. iiii. d. and for euery quarte solde aboue the sayd price. viii. d. and for euery potell so solde aboue the said price xii. d. and for euery galon so solde aboue the sayd price afoze limited . ii. s. And that no malmeseis Romeneis sakkes nor other swete wines, after the sayd feast shalbe retayled aboue. xii. d. the galon. vi. d. the potell. iii. d. the quarte/and. i. d. ob. the pynte/vpon peyne to lose and forsaite. iii. s. iiii. d. for euery galon. x. d. for euery potell. xii. d. for euery quarte/and. vi. d. for euery pynt/that shall be solde contrary to this acte.

**¶** Provided alway that the lord Chancellor/ lord Treasurer/ lord president of the kynges most honorable counsaile/ lord priue seale/ & the ii. chiefe Justices or either benche/ or. v. iiii. or. iii. of them/ shall haue power and auctoritie by theyr discretions to set the prices of all kynde of wyne/ that is to saye of the prices of the butte tonne pype hoggetheed poncheon teers barrell or rondlet whan it shall be solde in grolle / so that they or. iii. of them cause the prices by them sette to be witten/ and open proclamation therof to be made in the kynges courte of Chauncery openly in the terme tyme / or elles in the cite bozowe or towne where any suche wyne shall be solde in grolle / any thyng conteyned in this acte to the contrary herof not withstandynge.

**¶** And it is further enacted / that if any persone or persones / after suche prices be sette and put in writynge by the sayde lord Chancellor / lord Treasurer / lord president of the kynges mooste honourable counsaile lord priue seale/ and the two chiefe Justices or by. v. iiii. or. iii. of them/ and proclamation therof had as is aforesayde/ do sell any wyne in grolle by any fraude or couyne contrary to the sayd prices so set and proclaimed/ that than euery offender in that behalfe shall lose and forsaite for euery vessel by them solde in grolle contrary to the sayd prices. xl. s. The one halfe of all whiche forsaitures to be to the kyng our souerayne lord / and the other halfe therof / if it be within any cite bozowe or towne corporate/ to be to the mayres shireffes baylyffes or other heed rulers of suche cites bozowes or townes corporate: and if it be without cite bozowe or towne corporate / than to be to suche of the kynges subiectes as wyl sue for the same. And that euery suche forsaiture shalbe recouered by originall writ of dette bylle playnt or informacion. In whiche suite no wager of lawe shall be admytted nor any protection or escoen allowed.

**¶** And it is also enacted / that the Justices of peace in euery shyre of this present realme/ and all mayres shireffes baylyffes and other heed officers in cities bozowes and townes corporate/ that is to say euery of them with in the limites of theyr commissions and auctorites/ as well within franchises as without / shall haue power and auctorite to examyne here inquire and determyne the defautes of suche as shall attempte to selle any wyne



in grosse or by retayle contrary to this acte/ And to punyssh the offenders by imprisonment or otherwise by their discretions.

**¶** Doubted alwaye that if it fortune any shyp or shyppes vessell or vessels laded with the sayde wyne of Galscoyne or Guyon or frenche wyne at any tyme hereafter to come to any porte creke or hauen within this realme of Englande Irelande wales or the marches of the same betwene the sayde feastes of seynt Michaell / the arcangell / and the Purification of our lady / and than the vessels conteynyng the sayde wyne / or the shyp or other vessell or vessels bearynge the same / happen to falle in leke / that than it shalbe lauffull to the owner or byngers therof / at al times betwene the sayde feastes / to discharge the sayde wyne out of any suche shyp vessell or vessels for the sauynge of them. So that the sayd owner or owners of the sayde wyne / so dischargynge the same / make no sale or other vtterance of them at any tyme betwene the sayde feast of seynt Michael / and the sayde feast of the purification of our lady / any thyng conteyned in this acte to the contrarie herof not withstandynge.

**¶** And where as in the parlyament holden at westm in the fyrste yere of the reygne of kynge Richarde the thyrde amonge other thynges it was established ordeyned and enacted / that euery tonne of wyne shulde conteyne. Cciii. galons / euery butte of malmesey shulde conteyne. Cxxvi. galons / euery pipe. Cxxvi. galons / euery tertian or poncheon. lxxiii. galons / euery hoggeshed. lxxii. galons / euery teerce. xli. galons / and euery barrell xxxi. galons and di / and euery rondlet. xviii. galons & di: And that no vessell shulde be put to sale tyll it were gauged / vpon payne of forfayture / as by the same statute it doth appere more at large. Neuer the lesse great discreete is dayly vsed in sellynge of wyne and oyle in caskes and vessels not bearynge the contentes aboue lymitted to the great losse of the kynges pooze subiectes. For remedy wherof be it enacted by the auctorite of this present parlyament / that the sayd statute made in the first yere of kynge Richarde the thyrde / and al other statutes heretofore made for trewe gaugynge and measures of wyne oyles honny or any other licours / whiche statutes befoze this tyme be not repelled nor expired / shall stande in theyr strength and vertue and be put in due execution accorpyng to their tenors and effectes in euery behalfe.

**¶** And ouer that be it enacted by auctorite of this present parlyment / that euery gaugeour within this realme shall truely and effectually within the limittes of his office gauge all the sayde tonnes buttes pypes terces poncheons tertians barrells hoggeshedes and rondlettes and shal plainly and truely marke vpon the heed of euery suche vessell the content of the same / vpon payne to forfayte to the partie / to whose vse the wyne oyle or other thyng therin beynge shall be solde / foure tymes the value of that that the vessell so marked shall lacke of his lauffull content aboue wyrtten. The same forfayture to be recouered ouer and besides the costes of the suite by the

the kynges oꝛiginall wytte / oꝛ by bylle in any of the kynges courtes of his comon lawes / oꝛ in any competent courte hauynge iurisdiction in the place / where that offence shall be commytted / by action oꝛ bylle of dette / In whiche action oꝛ suite none esoyne pꝛotectiō noꝛ wager of lawe shall be accepted admitted oꝛ allowed to the defendānt oꝛ defendantes . And that euery marchant oꝛ other person sellynge the sayde wyne oyle oꝛ other thinge conteyned in the sayd vessell marked shall allowe of the pꝛice thereof to the byer of the same foꝛ euery quantite of wyne oyle oꝛ other thinge conteyned in the sayde marked vessels the full value of the lacke therof / beinge by reason of defaute of full gauge of the vessell marked / oꝛ of defaute of fyllynge the same vessell / oꝛ by reason of defaute of any of them after the rate of the holle pꝛice of the wyne oyle oꝛ other thinge so beyngē solde by that vessell marked. And that vpon peyne of fozfapture to the same byer the double value of the same vessell and wine oyle oꝛ other thinge therein beinge so solde / the same fozfature to be recouered to gether with the costes of the sute / in maner and fourme as the fozfapture last befoze wyrtten is limitted to be recouered. This acte to continue vnto the laste day of the nexte parliament.

**A**n acte concernynge the amendynge and mayntenance of the hauens and portes of Plymmouth / Dartmouth / Teyngmouth / Falmouth and Fowey in the counties of Devonshire and Coznewall.      viii



It sheweth and complayneth vnto the kyng our soveraigne lord / and to the lordes spirituall and tempozall / and the comons in this present parliament assembled / the inhabitauntes of the townes and portes of Plymmouth / Dartmouth and Teyngmouthe in the countie of Devonshire / Falmouth and Fowey in the countie of Coznewall / that where the sayde portes haue ben in tyme past the pꝛincipall and most comodious hauens and portes within this realme foꝛ the rode suertie and pꝛeseruation of shippes resoꝛtyngē from all places of the worlde as well in peryll of stormes as otherwyle . foꝛ where befoze this tyme all manner of shippes beinge vnder the portage of. viii. C. tonnes resoꝛtyng vnto any of the sayd portes oꝛ hauens myght at the lowe water easely enter in to the same / and there lye in suertie / what wynde oꝛ tempeste so euer dyd blowe. By reason wherof not onely a great multitude of shippes / as well of this realme as of other regions and countreys befoze this tyme haue ben pꝛeserued and saued / but also in tyme of warre the sayde hauens and portes haue ben the greattest foztification and defence of that part of this realme and the speciall pꝛeseruation of the great parte of the shawe of the same : whiche sayde portes and hauens ben at this present tyme in  
maner

maner vtterly decayde and distroyde by meane of certayne tynne workes/ called Streame workes/ bled by certayne persones within the sayde countie/ whiche persons more regardynge their owne priuate lucte than the common welth and suretie of this realme/ haue by workynge of the sayd streame workes digginge serchynge and wasshynge of the same nere vnto the freshe ryuers waters and lowe places descendynge and comynge out of the londe towarde and in to the said portes and hauens to the see/ conueyed by the force of the sayde freshe ryuers a meruailous great quantite of sande grauell stone robell erthe slime and fylthe in to the sayde portes and hauens/ and haue so fylled and choked the same / that where befoze this tyme a shyppe of the portage of. viii. C. as is aforesayd/ myght haue easely entred at a lowe water in to the same/ nowe a shyp of a hundred canters scantly entre at the halfe floudde/ to the decay and vtter destruction of the sayde hauens and portes/ and also to the ruine and vtter vndoinge of all the good townes within the sayd counties of Deuonshire and Cornewall/ if remedy be not in that case spedily prouided. For reformation wherof be it enacted by the kynge our soueraygne lord/ the lordes spirituall and tempozall / and the commons in this presente parliament assembled / and by auctoritie of the same/ that no person or persons hereafter shall labour or worke/ or cause to be labored or wrought in any maner of tynne workes called Streame workes within the sayd counties of Deuonshire or Cornewall nygh to any of the sayd freshe waters ryuers or lowe places descendynge or hauynge course vnto the sayd hauens or portes or any of them/ nor shall labour digge or washe any tynne in any of the said tynne workes called Streame workes/ onelesse the sayde digger owner or washer shall make or cause to be made sufficient hatches and tyes in the ende of theyr buddels and cordes/ and therein put and lay or cause to be put and layde all the sande stones grauell and robell dygged aboute the inserchinge findynge and wasshynge of the sayd tynne/ there to be holly and suerly kepte/ by the sayd hatches and tyes out and from the said freshe ryuers or water courses or any of them/ so that the sayde sande stones grauell and robell/ ne any parte therof be for lacke of suche hatches or tyes conueyed into the sayde portes and hauens or any of them/ vpon peyne to forfayte for euery tyme, that any owner or tynner shall digge or washe/ or cause to be digged or washed any tynne contrary to the fourme aforesayde ten poundes.

The one halfe therof to be to the vse of our soueraygne lord the kynge/ and the other halfe therof to be to any of the inhabitantes of the sayd porte townes or hauens that wyl sue for the same in any of the kinges courtes by originall wytt byll playnt information or otherwys/ wherin the defendant shall not be admitted to wage his lawe / ne any protection or essoyne shall be allowable.

¶ And be it further enacted by auctoritie aforesayde/ that if any person or persons shall happen to be sued accused indited imprisoned amerced condemned



dempned or otherwys beered or troubled in his person londes tynwodes  
 goodes or cattels by any of the ministers or officers of any the kynges  
 courtes of Stannery/ or by any other person or persons for pursuyng or  
 attemptyng any sute or action accordyng to this estatute/ agayne suche  
 person or persons as shal offende contrarie to the fourme aforesayde/ that  
 than all suche suites accusementes enditementes imprisonementes acti-  
 ons condemnations fines amerciamentes and euerie other acte or actes  
 to be done in any of the sayde courtes of Stannery or els where by any  
 person or persons ageyne any person or persons for luyng or attemptyng  
 any lutes or actions by vertue of this estatute/ shal be utterly voyde and  
 of none effecte in the lawe. And that the parties sued indited accused im-  
 prisoned or other wyle greued or molested for pursuyng ageyn any person  
 or persones offendyng this estatute / shal haue his action and remedye  
 grounded vpon this statute by originall wrytte bylle playnt information  
 or otherwyle in any of the kynges courtes/ agayne suche as shal procure  
 or attempt to bere trouble or otherwyle molest any such person or persons  
 for luyng or pursuyng for the forsaures aforesayde / And shal recouer  
 treble damages in that behalfe. And the partie defendant shal not be ad-  
 mitted to wage his lawe/ ne any protection esloyne nor priuilege shalbe to  
 hym allowable. And if it shal happen any persone or persones for pursu-  
 yng any sute or action vpon this estatute or by occasion of the same here-  
 after to be imprisoned by any maner persone or persons/beyng officers or  
 ministers of the Stannery/theyr deputies or substitutes/ that than euery  
 of the Justices of peace within any of the counties aforesayd/ wherein the  
 sayd prisoner shal happen to be committed to prison vpon credible infor-  
 mation, therof takynge suertie by his discretion for apparance of suche  
 prisoner at the nexte generall sessions of peace/ shal haue power and auc-  
 torite as well to directe his warant to the gailour or keper of the prison/as  
 to any other persone or persons/to whom the sayde prisoner shal be com-  
 mitted vnto/ comandynge him or them vpon payne of forsaure of. xl. li.  
 to deliuer and put at large the sayd prisoner or prisoners: whiche if he re-  
 fuse so to do, than euery such offender shal lose and forsaure the sayd. xl.li.  
 The one halfe of whiche forsaure to be to the vse of our soueraygne  
 lord the kyng/and the other halfe to hym that is greued by reason of lych  
 imprisonment/ to be recouered in maner and fourme aforesayd: And the  
 defendant in any action or sute for the same shal not wage his lawe / ne  
 haue any esloyne or protection allowed. And if it shal appere vpon the  
 apparaunce of suche prisoner at the quarter sessions by examination of  
 the Justices of peace there beinge / that he was imprisoned contrarie  
 to the fourme of this estatute / that than he shal be forthwith dismissed  
 and therby discharged. And if he were lawfully imprisoned / for  
 any other iuste cause / than to be remaunded to prison by the discretion  
 of the sayd Justices.

**P**rovided alway that this acte or any thyng therein conteyned be not in any wyle prejudiciall or hurtful to any of the officers of the Stannery, ne to any of theyr lafull liberties priuileges vlags lawes or customes / sauyng onely in the cases and prouisions conteyned and limited within this present acte / whiche shall alwey be put in execution accordyng to the tenor of this acte / any vlage custome priuilege ordinance or libertie to the contrarie therof notwithstandinge.

**A**nd it is enacted / that this acte shall begynne to take effecte from the feast of saynt Mychaell the arcangell nexte comynge / and not before.

**A**n acte that no person shall be cited out of the diocese / where he or she dwelleth / except in certayne cases it



Where great nombze of the kynges subiectes as well men / wyues / seruantes as other the kynges subiectes dwellinge in diuers Diocesses of this realme of Englande and of wales heretofore haue ben at many tymes called by Citations and other procelles copullaries to appere in the Arches Audiance and other hygh courtes of the archebischoppes of this realme / farr from and out of the Diocese / where suche men / wyues / seruantes / and other the kynges subiectes ben inhabitant and dwellinge / and many tymes to answer to surmised and reyned causes and lites of defamacion / with holdinge of tithes and suche other like causes and matters / whiche haue ben sued more for malice and for veration / than for any iuste cause of suite. And where certificat hath ben made by the somoner apparitour / or any suche lyght litterat person that the partie / agaynst whom any suche Citation hath ben awarded / hath be cited or somoned / and thre upon the same partie so certified to be cited or somoned / hath not appered accordyng to the certificat / the same partie therfore hath ben excommunicated / or at the leest suspended from all diuine seruice / And therupon before that he or she coude be absolved / hath be compelled not onely to paye the fees of the courte / wherunto he or she was so called by citation or other procelle / amountynge to the somme of. ii. s. or. xx. d. at the leest : but also to paye to the somoner apparitour or other lyght literate persone / by whom he or she was so certified to be somoned / for euery myle beyng distant from the place where he or she than dwelled vnto the same courte / wherunto he or she was so cited or somoned to appere / two pence / to the great charge and impouersshement of the kynges subiectes / and to the great occalion of misbehaeour and misliuyng of wyues / women / and seruantes / and to the great impeirment & diminution of theyr good names and honesties. Be it therfore enacted by the kyng our soueraygne lord / with the assent of the lordes spirituall and tempozall / and the commons in this present parliament assembled / and by auctorite of the same / that no maner person shall

shall be from henceforth cited or somoned or otherwysse called to appere by hym selfe or her selfe or by any procuratour before any ordinarie / archedeacon / commissarie / officiall or any other iudge spirituall out of the Diocese or peculiar iurisdiction / where the persone / whiche shall be cited somoned or otherwise (as is aboue sayde) called / shall be inhabytinge and dwellynge at the tyme of a wardyng or goyng forth of the same citation or somons : except that it shall be for in or vpon any of the cases or causes hereafter wrytten : That is to say for any spirituall offence or cause comitted or done / or omitted or slewed or neglected to be done contrary to ryght or dutie by the bysshoppe archedeacon commissarie officiall or other persone hauing spirituall iurisdiction / or beyng a spiritual iudge / or by any other person or persones within the Diocese or other iurisdiction wherunto he or she shalbe cited / or otherwise laufullly called to appere & answer. And excepte also it shall be by or vpon matter or cause of appele / or for other lafull cause / wherein any partie shall fynde hym selfe or her selfe greued or wronged by the ordinarie / iudge or iudges of the diocese or iurisdiction or by any of his substitutes officers or ministers after the matter or cause there fyrste commensted and begonne / to be shewed vnto the archebysshop or bysshop / or any other hauing peculiar iurisdiction / within whose prouince the diocese or place peculiar is : Or in case that the bysshop or other immediate iudge or ordinarie dare not nor wyll not conuente the partie to be sued before hym. Or in case that the bysshop of the diocese / or the iudge of the place / within whose iurisdiction or before whom the suite by this acte shulde be commensted and prosecuted be partie directly or indirectly to the matter or cause of the same suite. Or in case that any bysshop / or any inferiour iudge / hauing vnder hym iurisdiction in his owne ryght and title / or by commission make request or instaunce to the archebysshop bysshop or other superiour ordinarie or iuge, to take treate examin or determine the matter before hym or his substitute. And that to be done in cases onely / where the lawe Civile or Canone dothe affirme execution of suche request or instaunce of iurisdiction to be lafull or tollerable / vpon payne of forfayture to euery person by any ordinarie commissarie officiall or substitute by vertue of his office / or at the sute of any persone to be cited or otherwysse somoned or called contrary to this acte / of double damages and costes for the vexation in that behalfe susseynd / to be recouered agaynst any suche ordinarie commissarie archedeacon officiall or other iudge / as shall awarde or make proces / or otherwysse attempte or procure to do any thyng contrary to this acte / by action of dette / or action vpon the case / accordyng to the course of the common lawe of this realme / in any of the kynges hygh courtes / or in any other competent temporall courte of record by originall writte of dette byll or playnte. In whiche action no protection other than suche as shalbe made vnder the kynges great seale / and sygned with his sygne manuell / shall be allowed / neyther any wager of



of lawe nor esoyne shall be admitted. And upon payne of forfayture for every person so somoned cited or otherwysse called (as is aboue sayd) to answer befoze any spirituall iudge out of the diocese or other iurisdiction where the sayde person so dwelleth / or is resident or abydinge / tenne poundes sterlinge. The one halfe therof to be to the kynge our souerayne lord / and the other halfe to any person / that wyl sue for the same in any of the kynges sayde courtes / or in any other the sayde tempoꝛall courtes / by wytte informacion byll or playnte. In whiche action no protection shall be allowed / nor waver of lawe nor esoyne shall be admitted.

Provided alweys that it shall be lesfull to every archebysshoppe of this realme to call cite and somon any person or persons inhabitinge or dwellinge in any bysshops diocese within his prouince for causes of heresie / if the bysshop or other ordinary immediat there vnto consente / or if that the same bysshop or other unmediat ordinary or iudge do not his duetie in punishment of the same.

Provided also that this acte shall not extende in any wyse to the prerogative of the moste reuerend father in god the archebysshop of Canterbery or any of his successours or for calling any person or persones out of the diocese where he or they be inhabitinge dwelling or resident for probate of any testament or testaments / any thinge in this acte conteyned to the contrary notwithstandinge.

And be it further enacted by auctorite aforesayde / that no archebysshop nor bysshop ordinary officiall commissarie or any other substitute or minister of any of the sayde archebysshops bysshops archdeacons or other haueinge any spirituall iurisdiction / at any tyme from the feast of Easter next commynge shal aske / demaunde / take / or receyue of any of the kynges subiectes any somme or sommes of money for the seale of any citation / after the sayde feast to be awarded or opteyned / than onely thre pence sterling / upon the peines and penalties befoze limited / cōteyned and expessed in this presente acte / to be in lyke fourme recouered as is afoze sayde.

Provided alweys that this acte be not in any wyse hurtful or prejudiciall to the archebysshop of poꝛke / nor to his successours / of for or concerning probate of testaments within his prouynce and iurisdiction by reason of any prerogative / any thinge in this acte to the contrary therof notwithstandinge.

An acte concernynge feffementes and assurance of lordes & tenementes made to the vse of any parryshe church / chapell / or suchelike.

Where by reason of feoffementes synes recoueres and other estates and assurances made of truste of maners lordes tenementes and hereditamentes

tamentes to the vse of parisshe churches chapels church wardens Gylles fraternities cominalties companies or brotherhoodes erected and made of deuotion/ or by common assent of the people without any corporation/ and also by reason of feoffmentes fines recoveries wylles and other actes made to any vles aforesaid/ or to the vles and intentes to haue obites perpetuall or a continual seruice of a prest for euer, or for .iii. score or .iiii. score yeres funden of thissues and profits of the maners lordes tenementes & hereditamentes/ wherof suche feoffmentes fines recoveries wylles and other actes ben made / or that the feoffees conisees recoverers or other persons and theyr heires therof seised / shall take leuie recepuie and percepuie or cause or suffre to be taken leuied and percepuied thissues revenues and profits therof/ and the same to dispose pay conuerte or otherwys employ or suffre or cause to be disposed payde conuerted or employde to any suche vles intentes or purposes as bene aboue especified / or to any other lyke vles or intentes : there groweth and issueth to the kynge our soueraygne lord/ and to other lordes and subiectes of the realme/ the same lyke losses and inconueniences/ and is as moche prejudicial to them/ as dothe and is in case where lordes be aliened into mortmaine. Be it therfore enacted by the kynge our soueraygne lord/ the lordes spiritual and temporal/ and the commons in this presente parliament assembled / and by auctorite of the same / that all and every suche vles intentes and purposes of what name nature or qualite they shall be called/ that shall be deuysed couenanted made declared or in any wyse ordeyned/ after the fyrste day of Marche in the .xiii. yere of the reygne of our soueraygne lord kynge Henry the viii. by any feoffee recoverer or conisee or by any other person or persons, to whose vse anye suche feoffee recoverer or conisee shall be seised of any manours lordes tenementes or hereditamentes / or of thissues revenues and profits of them or any of them/ shall be utterly voyde and of no strength vertue nor effecte in the lawes.

**¶** Provided alway that it shall be lawfull to every person beyng seised of any manours lordes tenementes or hereditamentes to his owne propre vse / or hauinge feoffees recoverers or conisees to his vse/ to make or ordeyne or deuise/ or cause to be made ordeyned or deuised any of the vles intentes or purposes aboue specified in suche maner as they moughte haue done afore the makynge of this acte / and as if this acte had neuer be hadne made : So that none suche vles intentes or purposes to be made ordeyned or deuysed after the sayde fyrste day of Marche/ be not in any wyse made ordeyned deuysed or appoynted to endure continue or abyde by any craftie colour termes sentences clauses wordes or other meanes aboue the terme of .xx. yeres nexte after the fyrste makynge and begynnynge of any suche vles intentes or purposes.

**¶** And it is further enacted / that if any person or persones in defraude of this estatute bynde or ordeyne any theyr heires or successours or any other person

person or persons / that they shall suffer such vices intentes or purposes to endure and continue contrary to this acte / upon pernes or penalties of losses of any other londes tenementes or hereditamentes / or of any other thyng or thynges / or do attempte or deuise by any colour crafte or meanes any thyng or thynges to make any such vices intentes or purposes to be declared / contrary to the trewe meanynge of this acte / to continue or abyde for any longer tyme or season than is aboue lymitted for the same : that than every such perne penalty crafte colour and every other thyng and thynges / of what kynde nature or qualite so ever it be / that shall be so made ordeyned or deuised in defraude of this acte / shall be utterly voyde in the lawe to all intentes. And that this estatute shall be alweyes interpreted and expounded as beneficially as maye be to the destruction and better auoidynge of such vices intentes and purposes therein aboue remembred / and of all other lyke vices and intentes / otherwyle than alonly after such maner as is afoze by this presente acte prouided.

**P**rouided alway that in such cities and townes corporate / where by theyr auncient customes they haue good and lafull auctorities to deuise in to mortmayne the landes tenementes and hereditamentes within the same cities or townes corporate, that this acte shal not be in any wyle preiudiciall or hurtfull to any such custome.

**P**rouided alway that this acte ne any thyng therein conteyned shall extende or be in any wyle preiudicial to hynder or impayre any such ordinaunces deuises or declarations of vices / as shall here after be made and declared in wrytinge by the executours of the testaments and laste wylles of Roberte Jannis and John Terry late aldermen of the cite of London / now deceased / or by the executours or the suruiuour of the executours of eyther of them / of any londes tenementes or hereditamentes / not amountynge in the holle aboue the clere yerely value of .xl. li. to be employde and conuerted to and for the discharge of Colles and Customes within the sayde cite / and at the gates of the same / for the discharge of pooze people within the same cite of Taxes and Tollages hereafter to be assessed and leuyed / and for the clenynge of the streetes of the same cite / or for any of the sayd good purposes accorдынge to the trewe intentes and meanynge of the sayde laste wylles and testaments / and of eyther of them : so that the same ordynances deuises and declarations be had made and certified in wrytyng into the kynges courte of Chancery within two yerres nexte ensuenge the feast of Ester next commynge.

**A**n acte concernynge brykynge of pysson  
by clerkes conuicte. xi

**W**here diuers persons being conuicte of murder or felony / haupnge the priuilege of their clergy, and deliuered to the ordinaries, after wardes

D.ii.

wyl.



wilfully breke the prisons of the ordinaries and escape their wapes/doing and comitting great horrible and detestable offences / and as hitherto for suche wilfull brekynge of prisons of ordinaries by clerkes conuicted hath not ben prouided any great penaltie / wherby they shulde stonde in drede of doynge of the same. Be it therfore enacted by auctorite of this presente parliament, that if any clerke conuicted beinge in prison of any ordinarie/ wilfully breke the sayd prison and escape his wey out of the same/that the euery suche brekynge of prison and escape shall be from henceforth deemed and adiudged felonye / and the offender therein shall haue and suffre suche payne of dethe and penaltie / and losse of his londes and goodes / as for other felonies is accustomed by the lawes of this realme / and shall not in any wyse be admytted to haue the priuilege or benefite of his clergie / nor enioye any sepulture for the same.

**C**onrouded alway that if any suche offender be within holy orders/that is to saye of the orders of subdeacon deacon or presthode / that than after he is conuicted of the premysles he shal be deliuered to the ordinarie/there to remaine without any purgation.

**A**nd it is enacted / that it shall be at the libertie of the ordinarie to disgrace any suche offender after he is founde gyltie and deliuered to hym/ as a clerke conuicted, and sende hym befoze the kyng in his bench with letters wythessynge the sayde disgradyng / and therupon the Iustices of the kynges bench/ haupnge the recozde of his conuiction / shall haue power and auctorite to geue iugement ageyne euery suche offender beyng conuicted and disgraced/ that he shall suffre dethe/ lyke as they mought do in case the same offender had ben a lay man, and areined and founde gyltie afoze them of the sayde offence/ the deliuerynge of suche offender afoze to the ordinarie not withstandynge.

**An acte for takynge exactions vpon the pathes  
of Seuerne.**



**W**here the kynges subiectes passynge vpon the ryuer and water of Seuerne / haue vsed tyme out of mynde to haue and vse a certayne pathe of a foote and a halfe brode on euery syde of the sayde ryuer for drawynge by by lynes or ropes their troughe barges botes and other vessels passynge or repassynge on the sayde riuer of Seuerne with wyne or any other marchandise / without any imposition tare or tolle to be demanded of them that so shuld carie wyne in any of the sayd vessels for the sayd passynge and drawynge in the sayde pathes accustomed / tyll now of late certayne coustous persons haue pertourbed and interrupted many of the kynges subiectes, halyng and drawynge by theyr vessels in the sayd pathes/takynge of them synes

fyne and draughtes and botels of wyne/ and yet dayly vse to take/to the distourbance and losse to many of the kynges subiectes.

**¶** Be it therfore enacted by the kyng our souerayne lord/ and the lordes spiritual and temporal/ and the commons in this present parliament assembled/ that no person or persons interrupte by any obstacle lette or o-therwise any persone or persons passynge or repassynge on and vpon euerye of the sayde pathes accustomed/ nor also are take or demaunde any tolle called a draught/ or bottell of wyne/ or any other tare or imposition of any of the kynges subiectes there goynge in the sayde pathes accustomed/ vpon euery side of the ryuer of Seuerne ther halynge or drawynge there botes trouthes or vessels/ vpon payne to forsaite for euery tyme that he or they so shall interrupte any of the kynges subiectes/ or are or take any suche imposition, by what name so euer it be called. *xl. s.* The one halfe therof to be to the kyng our souerayne lord/ And the other halfe to the partie greued, that wyl sue for the same by bill playnt information or otherwise/ in the whiche lute no esopne wager of lawe nor protection shal be allowed.

**¶** An acte that men in cities boroughes and towtines/ whiche be clerly worthe *xl. li.* in goodes/ shal passe in triall of murders.



**H**ence as moche as triall in murders and felones in cities boroughes and towtines corporate within this realme hauing auctorite to procede in the deliuerance of suche offenders/ bene often tymes deferred and delayed by reason of chalenge of suche offenders for lacke of sufficiencie of freholde, to the great hynderaunce of Justice. It may therfore be enacted by auctorite of this present parliament/ that euery person and persones beyng the kynges naturall subiecte borne, whiche either by the name of a citeyn or of a fre man or any other name bothe enioye and vse the liberties and priuileges of any citie borough or towne corporate/ where he dwelleth and maketh his abode/ beyng worthe in mouable goodes and substance to the clere value of *xl.* poundes/ be from henceforth admittted in triall of murders and felonyes in euery sessions and gayles of deliuere to be kepte and holden in and for the libertie of suche cities boroughes or towtines corporate/ All be it they haue no freholde/ any acte statute vse custome or ordinance to the contrary hereof not withstandynge.

**¶** Wherbyd alway that this acte do nat extende in any maner of wyse to any knyghte or esquier dwellinge abydynge or resorcyng in or to any suche citie or borough corporate/ any thyng in the same acte mencioned or declared to the contrary hereof not withstandynge.

D.iii.

D.oces

**P**roces of outlary to lye in actions of anno .b. R. II.  
in couenaunt and annuite



**H**as moche as there is great delays in actions of trespass brought upon the statute of kynge Rycharde the seconde / made in the .v. yere of his reygne / against them þ make entrees in to any landes or tenementes / where their entre is not yeven by the lawe / And also in actions of annuite and actions of couenaunt, bycause ther lyeth no proces of outlary in such nature of actions. for reformation wherof it may please the kynges hyghnes / by the aduise of his lordes spirituall and temporall / and the commons in this present parlyament assembled / and by auctoritie of the same / to ordeyne and enacte / that lyke proces be had hereafter in every action from henceforth to be brought upon the sayde estatute of anno quinto / as is in a common action of trespass at the common lawe / and that also lyke proces be had in euery wytte of annuite and couenaunte hereafter to be sued / as in an action of dette.

An acte that the defendand shall recouer costs ageryst the pleyntife / if the pleyntife be nonsuited / or if the verdict passe ageryst hym



**I**t enacted by the kynge our soweraygne lord / and the lordes spirituall and temporall / and the commons in this present parlyament assembled, and by auctorite of the same / that if any person or persons at any tyme after the feast of the Purification of our lady in the .xiii. yere of the reygne of our soweraygne kynge Henry the viii. comense or sue in any court of recorde or els where in any other court / any action byll or playnt of trespass upon the statute of kyng Rycharde the seconde / made in the .v. yere of his reigne / for entrees in to landes & tenementes / where none entre is gyuen by the lawe / or any action byll or playnt of dette or couenaunte upon any especialte / made to the pleyntife or pleyntifes or upon any contracte supposed to be made betwene the pleyntife or pleyntifes / and any person or persons, or any action byll or playnt of detinue of any goodes or catels, wherof the pleintyfe or pleyntifes shall suppose / that the propertie belongeth to them or to any of them / or any action byll or playnt of accompt, in the which the pleyntife or pleyntifes suppose the defendaunt or defendantes to be their baillyfe or baillyfes receiuer or receyuours of their maner mese money or goodes to yelde accompte / or any action byll or playnte upon the case or upon any statute for any offence or wrong personal immediatly supposed to be done to the pleyntife or pleyntifes / and the pleyntife or pleyntifes in any suche kynde



kynde of action byll oꝝ pleynt after apparance of the defendanꝝ oꝝ defendantes be nonsuited/ oꝝ that any verdict happen to passe by lawfull triall agaynst the pleyntife oꝝ pleyntifes in any suche action byll oꝝ pleynt: that than the defendanꝝ oꝝ defendantes in every suche action byll oꝝ pleynt shal haue iugement to recouer his costes agaynst every suche pleyntife oꝝ pleyntifes. And that to be assessed and taxed by the discretion of the iuge oꝝ iuges of the courte / where any suche action byll oꝝ pleynt shal be commensed sued oꝝ taken. And also that every defendanꝝ in suche action byll oꝝ pleynt shal haue suche proces and execution foꝝ the recouery and hauynge of his costes agaynst the pleyntife oꝝ pleyntifes / as the same pleyntife oꝝ pleyntifes shulde oꝝ might haue had agaynst the defendanꝝ oꝝ defendantes / in case that iugement hadde ben gyven foꝝ the parte of the sayd pleyntife oꝝ pleyntifes in any suche action byll oꝝ pleynt.

**W**ounded alway that all and every suche poore persone oꝝ persons beinge pleyntife oꝝ pleyntifes in any of the sayde actions bylles oꝝ pleyntes / whiche at the commensment of their suites oꝝ actions be admitted by discretion of the iudge oꝝ iudges / where suche suites oꝝ actions shal be pursued oꝝ taken / to haue their processe and counsaile of charite without any money oꝝ fee payng foꝝ the same / shal not be compelled to pay any costes by vertue oꝝ force of this estatute / but shal suffer other punishment / as by the discretion of the iustices oꝝ iudge / afoze whom suche suites shal depende / shal be thought reasonable / any thyng afoze rehered to the contrary herof nat withstandinge.

**I**n acte that no englyshe man shal selle exchange oꝝ deliuer to be conueyde in to Scotlande any horse / geldyng, oꝝ mare / without the kynges licence



where before this tyme byuers of þe kynges subiectes, and namely of the north parties of this realme / as well in tyme of peace as of warre / haue solde and deliuered out of this realme into Scotlande many and diuers great multitude of horses geldynges and mares / whiche haue bene thoughte not onely great occasion strength and boldnes to the Scottyschmen / hauynge in possession the same horses geldynges and mares in tyme of warre to inuade this realme / to the great detriment and hynderaunce of the kynges poore subiectes of this his realme / but also a great enfeblinge of the kynges sayde subiectes in the defence of the same.

**B**e it therfoze enacted by auctorite of this present parlyament / that if any person oꝝ persones after the feast of saint George the martyr next coming sel exchange oꝝ deliuer within the realme of Scotlande oꝝ in any place oꝝ grounde called the batable grounde betwene Englande & Scotlande /

to

to the vse of any Scottishe man any horse geldyng or mare without li-  
cence opteyned of the kynges hyghnes by his letters patentes vnder his  
great scale so to do or sell exchange or deliuer to any Scottissheman with  
in this realme of Englande wales the towne of Barwyke / or marches  
of the same or in any of the sayde batable grounde / to thentent to be con-  
ueyed into Scotlande / any horse geldyng or mare without speciall licēce  
opteyned of the kynges hyghnes by his letters patentes vnder his great  
scale so to do : that than the same sale exchaunge or deliuer of suche horse  
geldyng or mare / contrary to this present acte shalbe adiuged and demed  
by the same felony as well in the seller exchaunger or deliuerer / as also in  
hym or them to whom the same sale exchaunge or deliuer shall be made.  
And that it shalbe lesul as well to the warden & wardens of the east weste  
and myddell marches for the tyme beinge / in theyr warden courtes / as  
also to the kynges Justices of his peace in their quarter sessions in every  
shyre of this realme / to enquire here and determyne all and every suche fe-  
lonies / after lyke maner as is vled in other felonies at the common lawe /  
whether the same sales exchaunges or deliueres be made had or done by  
any persone or persones contrary to this acte in the realme of Scotlande  
or in any parte of the sayd batable groundes / or within the realme of En-  
glande wales Barwyke or marches of the same. And that it shalbe lesull  
to every persone & persons / beyng the kynges subiectes / & inhabityng in  
the forsayde marches for ayenst Scotlande to arrest any Scottissheman  
ledyng or conueyng any suche horse geldyng or mare out of this realme  
into the sayde realme of Scotlande / And that the moytie or one halfe of  
the price of the sayde horse geldyng or mare shall be to the vse of the sep-  
four and arrestour of the same after due triall of the same made / And the  
other moytie to the kynges hyghnes.

An acte concernynge the true wyndyng of wolles.

xxiii



It enacted by the kyng our soueraygne lord / and the  
lordes spirituall and temporall / with the commons in  
this present parlyament assembled / and by auctozite of  
the same / that from hensforthe no maner persone ne  
persons do wynde or cause to be wounde any fleesse of  
woolle beyng not sufficiently ryuered or wasshed / ne  
wynde or cause to be wounde within any fleesse / clape /  
leeche / stones / sande / tayles / deceptefull lokes / cotte calles / combze / lāmes  
wolles / or any other thing / wherby the fleesse may be the more weyghty /  
to the discepte and losse of the byer / upon payne the seller of any suche  
deceptefull wolles to forsayte for every suche fleese. bi. d. the one moytie to  
the kyng / the other to the fynder and prouer of the same discepte / by ac-  
tion of dette by originall wytte byll playnt informacion or otherwyse in  
any

any of the kynges courttes/ in whiche action no wages of lawe/ espyone ne protection shall be allowed for the defendante. **¶** Provided alway that this acte concernynge tynerynge and wasshyng of any wolles shall not in any wyse extende to any shire or shires/ the inhabitantes wherof hath not customably vsed before this tyme to ryuer or wasshe theyr shepe afoze they be shorne/ nor shall in any wise be hurtfull or prejudiciall to any person or persons/ that hath vsed customably to sell theyr wolles by tale or nombre of the fleese or fleeces and not by weight/ any thing in this acte to the contrary notwithstanding. This acte to endure to the nexte parliament.

**¶** An acte concernynge pullynge downe and auoydynge of fysshgarthes/ piles/stakes/heckes/ and other ingins sette in the ryuer and water of Ouse and Humbze. xviii



He mayze shyppes and commynaltie of the cite of porke and other the kynges trewe subiectes inhabytyng and dwellyng ngyh vnto the ryuer of Ouse/ and the water of Humbze/ and all other occupiers of the same ryuer and water, lamentable complaynynge shewen vnto our soueraygne lord the kyng, the lordes spirituall and tempozall/ and the comons in this present parliament assembled/ that where the sayde cite beyng one of the mooste auncient cities of this realme/ hath ben moche relyned/ meynteyned/ and supported by the sayd ryuer of Ouse and water of Humbze/ whiche be the common and direct passage and waye from Hulle vnto porke afozesayde, by reason that many shyppes keyles Cogges and botis and other vessels haue heretofore hadde theyr franke passages without lette impediment or interruption in and vpon the sayde ryuer and water of Ouse and Humbze from diuers parties of this realme vnto the sayde cite/ wherby the sayde cite hath hitherto mooste chiefly bene aduanced. And nowie of late certayne persones styppeng onely for their owne priuate lucre/ not regardynge the comon weale but dayly imaginynge the vtter distruction ruine and decay of the sayd cite and the countres adioynynge vpon the sayd ryuer of Ouse and water of Humbze/ and occupiers therof/ haue and dayly do kepe preserue and maynteyne certayne ingins for takynge of fysshe in the sayd ryuer and water of Ouse and Humbze commonly called fysshgarthes/ and sette in the sayd ryuer and water in suche places of the same/ where shyppes shuld haue their liberall and direct passage in the middes of the streame of the sayd ryuer of Ouse and water of Humbze, stakes/piles/ and other thynges in and vpon the common passage for shyppes, keyles/ cogges/ botis/ and other vessels at dyuers and many places in the sayde ryuer of Ouse and water of Humbze: by reason wherof not onely the sayde shyppes keyles cogges botis and other vessels are dayly in leoperdie/ and men  
chyldezen



chyliden goodes & marchandises in the same of late haue ben and dayly be  
like moze to increce to be drowned flaine and distroyed, but also brode and  
fye of fylthe in the sayde ryuer and water of Ouse and Humbre be com-  
monly therby distroyed and putrified / to the vtter impouerysshment and  
distruccion of the sayde cite / oneles speedy remedy be in this behalfe shor-  
tly prouyded. wherfore hit may please our sayde soueraygne lord / with  
the assent of the lordes spirituall and tempozall, and the commons in this  
present parliament assembled / and by auctoritie of the same / that the lord  
Chanceler of englande / for the tyme beinge / by the kynges commission  
vnder his great seale / afoze the fyrst daye of Maye nowe next commynge  
shall by his discretion appoynt. viii. sad and discrete persons / wherof. iiii.  
of them to be of the citisins of the sayd cite of yorke / and burgens. of the  
sayde towne of Hulle / and the other. iiii. to be. ii. of them Justices of the  
peace of the west ryddynge of the countie of yorke / and the other. ii. Ju-  
stices of the peace of the East ryddynge of the same countie / that they. viii.  
bit. vi. b. o. lili. of them / wherof. ii. of them to be of the sayde citisins  
and burgens. of the sayd cite and towne / and other two to be / one of them  
Justice of the peace of the weste ryddynge, & the other of the Easte ryd-  
dynge of the sayd countie / on this syde the fyrste day of June nowe nexte  
ensuyng / shall haue power and auctoritie to surbey and le the sayd fylthe-  
garthes weres piles stakes and other ingins set and made in the sayd ry-  
uer and water of Ouse and Humbre: whiche said persons so assigned shal  
haue power and auctozite by vertue of this acte to appoynt and assigne by  
theyr discretions the owners of the sayde fylthegarthes stakes pylles and  
other ingins to auoyde and pull vp / or cause to be auoyded and pulled vp  
withyn. xl. dayes after suche surueyance made and monition gyuen to the  
sayde owners / euen suche and as moche of the sayde fylthegarthes pylles  
stakes hekes and other ingins / whiche than by theyr discretions shall be  
thought expedient mete and conuenient to be auoyded and pulled vp / that  
the sayde shyppes keyles cogges botes and other vessels passynge and re-  
passynge on the sayd ryuer and water of Ouse and Humbre to or from the  
sayd cite of yorke and towne of Hulle / may haue direct liberal and franke  
passage in throughe or vpon the sayd ryuer of Ouse and water of Humbre  
without any perturbatione impediment lette or daunger by reason of any of  
the sayd fylthegarthes piles stakes or other ingins than lette erected and  
standynge in the sayde ryuer and water of Ouse and Humbre / and that  
the sayde owners on euery syde of the sayde fylthegarthes and other in-  
gins nexte to the myddell of the sayde waters streame and passage of the  
sayde vessels / there to sette or cause to be sette within the sayde. xl. dayes  
befoze lymyted. ii. pylles of the lengthe of one yarde ouer and aboue  
the hyghe water marke at the full see of the sayde ryuer and water of the  
sprynge tyde / there to be and remayne / and to be kepte and repay-  
red by the sayde owners whan nede shall require the same for euer / that  
suche

suche persons as shall passe and repasse with shippes kelles cogges and other vessels in the same waters / may haue perfect knowledge and sight of the direct waye and passage in the said waters / through the sayd fishgarthes and ingins / for the sayd shippes keyles botis an other vessels.

¶ Also be it enacted by the said auctozite / that the lord Chancellor of Englande / for the time being / at all times after the said first surueiance / vpon request to him to be made by the maire and cominalte of the sayd citie and towne / or by any other citelins and burgenls of the sayd citie and towne for the tyme beinge / or other persone by them vnder the common seales of the sayde cite and towne auctozised / shall haue power and auctozite by his discretion / to make and directe like commissions vnto. viii. sad and discrete persons / wherof. iiii. of them to be of the citelins and inhabitantes of the sayd citie and towne / and the other. iiii. to be Justices of the peace / the one of the west ryddynge / and the other of Este ryddynge of the countie of yorke / not of fee nor reteyned with the sayde citie nor towne : that they viii. vii. vi. v. or. iiii. of them / wherof. ii. of them shall be of the sayd citie and towne / and the other. ii. Justice of peace / the one of the Este ryddynge and the other of the west ryddynge of the sayd countie / by vertue of the sayde commission / shall and may the sayd owners assigne and appoynt to pulle vp and redzesse or cause to be pulled vp and redzessed within. xxx. dayes after monition geuen to the said owners by the sayd commissioners or by suche of them takynge the charge of the execution of the sayde commission suche and as moche of the sayde fishgarthes and other impedimentes to be made in the sayde waters / to the let disturbance damage or ieopardie of any shippes keiles botis or any other vessels passing or repasyng to or from the sayde citie of yorke to the sayd towne of Hulle / as by them shall be thought mete and conuenient.

¶ And further be it enacted by the sayde auctozitie / that no maner of person or persons within the sayde ryuer and water of Ouse and Humbze / shall sette fishgarthes or any other ingins to take fyssh withall within the waters aforesayde / but onely with suche nettes and other ingins as shall be of assise and measure accordynge to the stonderde and auncient and laudable customes vsed in the sayde ryuer and water of Ouse and Humbze / and also to vse the fysshynge within the sayde waters all suche tymes as within the same hath of olde tyme ben accustomed / and at none other tyme.

¶ And further be hit enacted by the auctozitie aforesayde / that euerye of the sayde owners and occupiers of suche fysshgarthes for euery moneth offendynge contrary to this acte / shall forsayt. xl. li. And euery other persone in fysshynge contrary to this acte offendynge / shall forsayte. x. li. the one halfe of whiche penaltie and penalties to be to our soueraygne lord the kynge / and the other halfe to the mayre and comminaltie of the sayde citie of yorke and theyr successours / and the same to be recouered agaynst euery

euery persone and persons so offendynge as well by bylle information or otherwise at the kynges suite as by originall wytte of dette at the suite of the sayde mayze and comminaltie and theyr successours / in whiche action the partie defendaunte shall not wage his lawe / noz haue any protection or esloynge allowed.

# God saue the kyng.

Imprinted at London in Fletestrete by  
Thomas Berthelet printer to  
the kynges moste noble  
grace. Lum pri-  
uilegio.





**A**n acte concernynge the kynges gracious and free  
pardon for his spirituall subiectes  
within the prouince  
of yorke.



he kyng our souerayne lord calling to his blessed and  
most gracious remembrance, that his good and lounge  
subiectes / the moste reuerende father in god Edward  
archebishop of yorke / and other bishops suffraganes  
prelates and other spirituall persons of the prouince of  
the archbishopricke of yorke of this realme of En-  
glande and the ministers vnder wyitten / whiche haue  
exercised practised or executed in spirituall courtes and other spirituall  
iurisdictions within the sayd prouince / haue fallen and incurred into dy-  
uers dangers of his lawes by thynges done perpetrated and commytted  
contrarie to the order of his lawes / and specially contrary to the forme  
of the statutes of prouisoirs prouisions and premunire. And his hygh-  
nes haungeth alwayes tender eie with mercy pite and compassion towar-  
des his sayde spirituall subiectes / myndynge of his hyghe goodnes and  
great benignite so alwayes to imparte the same vnto them / as Justice  
beyng dayly administred all rigour be excluded / and the great and bene-  
uolent myndes of his sayde subiectes largely and many tymes appro-  
ued towarde his hyghnes / and specially at theyr conuocation and Sy-  
node / holden in the chaptre house of the metropolitane churche of yorke  
by corresponsence of gratitude to them to be requited / of his mere motion /  
benignite and liberalite / by auctorite of this his present parlyament / hath  
gyuen and graunted his liberall and free pardon to his sayde good and  
lounge spirituall subiectes and the sayd ministers and to euery of them /  
to be hadde taken and enioyed to and by them and euery of them by ver-  
tue of this present acte in maner and fourme ensuyng. That is to wytte:  
The kynges hyghnes of his sayd benignite and hygh liberalite in consi-  
deration that the sayd archbishoppe bishoppes and clergie of the sayd  
prouince of yorke in theyr sayde Conuocation haue gyuen and graunted  
to hym a subsidie of eightene thousande eyght hundred fortie poundes  
and tenne pence of lafull money currant in this realme to be leued and  
collected by the sayde clergie at theyr propre costes and charges / and to be  
payde in certayne fourme specified in theyr sayde graunte therof / is fully  
and resolutely contented and pleased / that it be ordeyned establisshed and  
enacted by auctorite of this his sayd parlyament / that the most reuerende  
father in god Edward archbishop of yorke metropolitane and primate  
of Englande / and all other bishops and suffraganes prelates abbottes  
priours and other conuentes / and euery person of the same conuentes /  
and conuentes corporate / and euery person of the same conuentes corpo-

rate

rate

rate abbesses prioresse and religious nunnes/ and al other religious and spirituall persones deanes and chapters and other dignites of cathedrall and collegiat churches prebendaries canons and petie canons vicars and clerkes of the same and euery person of the same / all archdeacons maysters prouostes presidentes wardens of colleges and of collegiate churches/ maysters and wardens of hospitals/ all felowes byetherne scholers priestes and spirituall conductes and euery of the same/ and all vicars generall of dioces chauncellours commissaries officials and deanes rurals/ & al ministers herafter generally rehered of any spiritual court or courtis within the sayd prouince of yorke/ That is to say/ al iudges aduocates registers and scribes, proctours constituted to iugementes and apparitours and all other/ whiche within the sayd prouince of the archebysshopriche of yorke at any tyme heretofore haue administred exercised practised or executed in any iurisdiccions within the sayde prouince as officers and ministers of the sayde courtes / or haue ben ministers or executers to the exercise or administration of the same. And all and singular politike bodyes spirituall in any maner of wyse corporated/ and al persons vicars curates chantrie priestes stipendiaries and all and euery persone and persons spirituall of the clergie of the sayd prouince of yorke/ in this present acte of pardon hereafter not excepted / or to the contrarie not prouyded for / by what so euer name or surname name of dignite preeminence or office they or any of them be or is named or called/ the successours heires executours and administratours of them and of euery of them/ shall be by auctoritie of this present pardon acquitted pardoned released and discharged ayenste his highnes his heires successours and executours and euery of them of all and all maner offences contemptes and trespasses comyncted or done ayenst all and singular statute and statutes of prouisoirs prouisions and premunice and euery of them/ and of all forfaytures and titles that maye growe to the kynges highnes by reason of any of the same statutes. And of al and singular trespasses wronges deceptes misdemeanours forfaytures penalties and profittes / sommes of money peynes of death peynes corporall and pecuniar as generally of all other thynges causes quarels suites iudgementes and executions / in this present acte hereafter not excepted nor forpysed/ whiche may be or can be by his highnes in any wyse or by any meanes pardoned before and to the tenth daye of the monethe of Marche/ in the .xxii. yere of his mooste noble reygne to euerye of his sayd louyng subiectes : That is to say to the sayd archebysshop and other the sayde bysshoppes suffraganes prelates abbottes priours and conuentes and euery person of the same conuentes and conuentes corporate/ and euery persone of the same conuentes corporate / abbesses prioresse nunnes and spirituall persons in dignite/ and all other religious and spirituall persones deanes chapters presidentes prebendaries canons petie canons vicars chorals and clerkes / archdeacons maysters prouostes  
priest

presidentes wardens felowes betherne scholars prestes and spiritual conductes chauncellours vicars generall of Dioces commissaries officials deanes rurales / all iudges aduocates registers and scribes proctours and apparitours, whiche haue administred practised or executed any iuris diction in any spiritual court within the sayde prouince / and to the sayde politike bodies spirituall persons vicars curates chantrie prestes stipendiaries / and to all & euery other person and persons spiritual of the clergie of the said prouince / and to all & euery other person & persons before named.

¶ Also the kynges hyghnes is contented / that it be enacted by auctoritie of this present parliament / that the sayde free pardon shalbe as good and effectuell in the lawe to euery of the sayde spirituall subiectes of the sayde prouince and to euery of them / and to the sayde ministers and euery of them / and to all and euery of the sayd bodies corporate and other persons before named / and to euery of them by the generall wordes before rehearsed in all thyng / whiche be not here after in this present acte excepted / as the said pardon shulde haue ben / if al offences contemptes and forfaitures causes matters lites quarels iudgements executions penalties and all other thynges not hereafter excepted had ben particularly singularly and playnly pardoned named rehearsed and specified by propre or expresse wordes and names in theyr kyndes natures and qualities in wordes and termes there vnto requisite in the sayde pardon. And that his sayde subiectes here after not excepted nor any of them their sayde ministers successors heires executours nor administratours of any of them nor any of them / nor any of the sayde bodies corporate be nor shall be sued vexed nor inquieted in theyr bodies goodes landes or cattals for any maner matter cause contempte misdemeanour forfaiture trespass offence or any other thyng suffred done or committed before the sayde tenth day of Marche agaynste the kynges highnes his coronne prerogatiue lawes statutes or dignite / but only for suche causes matters and offences as be specially and playnly rehearsed in the exceptions forpuses and prouisions in this presente pardon here after mentioned / and for none other / any statute or statutes lawes customes vse or president here tofore made or vled to the contrarie in any wyse not withstandinge.

¶ Also the kynges hyghnes of his bountious liberalitie by auctoritie of this present parliament graunteth and frely gyueth vnto his sayde spirituall subiectes and theyr sayde ministers / that is to say to the sayde archbishop and all other the sayde bysshoppes suffragans prelates / abbottes priours conuentes abbesses prioresses nunnes and spirituall persons in dignitie / and all other religious and spirituall persons deanes chapiters prebendaries canons petie canons vicars chorals and clerkes archdeacons maisters prouostes presidentes wardens felowes betherne scholars prestes spirituall conductes chauncellours vicars general of diocesis / commissaries officials deanes rurales iudges aduocates registers scribes pro-

E.ii.

ctours



ctours and apparytours bodyes corpozate/and politike bodyes spirituall/ persons vicars curates chantrie priestes stipendiaries and to al other persons spirituall men and women of the clergie oꝛ spiritualtie of the sayde prouince and to euery of them al such goodes cattals fines issues profits amerciaimentes forfaitures and sommes of money by any of them forsayted, whiche to his hyghnes do oꝛ shuld belonge oꝛ apperteyne by reason of any offence contempte mysdemeanour trespass matter cause oꝛ quarel suffered done oꝛ commytted by them oꝛ any of them befoze the sayd tenth day of Marche/ whiche be not hereafter specially and playnly forprised and excepted in this present acte of pardon. And that all and euery of the said spirituall subiectes and theyꝛ sayd ministers/and all and euery of the said bodyes corpozate and other persons befoze named may by hym selfe oꝛ his oꝛ their attourney oꝛ attourneys accoꝛdyng to the lawes of this realme plede and ministrate this present acte a fre pardon foꝛ his oꝛ their discharge of and foꝛ euery thyng that is therby pardoned without any fee oꝛ other thyng therfoze in any wyle payenge to any person oꝛ persons foꝛ pleding wytyng oꝛ entre of iudgement oꝛ foꝛ any other cause concernynge the same but onely. xii. d. to the clerke that shal entre the plee matter oꝛ iudgement foꝛ his oꝛ theyꝛ discharge in that behalfe / any statute oꝛ vse to the contrary not withstandynge.

¶ And furthermoze the kynges hyghnes is contented/ that it be enacted by auctozite of this present parlyament / that his sayde free pardon in all maner courtis of his lawes and els where shalbe reputed demed iudged all lowed and taken as well in the wordes and claules of therceptions and forprises specified in this presente perdon and acte/as in all and singular the other claules wordes and sentences mencioned and reherled in the said free pardon/ moſte beneficially and auayleably to al and singular his said subiectes/and to euery of the sayd bodyes corpozate and politike bodyes spirituall and to euery person spiritual of the sayd clergie and spiritualtie and to theyꝛ said ministers & officers/and to al other persons afoze named and to euery of them / and to the successours heyres executours and administratours of euery of them/and most strongly in barre and discharge ayenst his hyghnes his heyres successours and executours in euery thyng without obstacle challenge oꝛ other delay what so euer it be / to be made pleded objected oꝛ alleged by the kyng our soueraygne lord his heyres successours oꝛ executours/oꝛ by his oꝛ any of theyꝛ generall attourney oꝛ attourneys /oꝛ by any other person oꝛ persons foꝛ his highnes oꝛ any of his heyres successours oꝛ executours.

¶ And furthermoze it is enacted by the kyng our souerayne lord/ and by auctozite of this present parliament/that if any officer oꝛ clerke of any of his hygh courtes commonly called the kynges benche Chauncery and comune place oꝛ of his Eschequer / oꝛ any other officer oꝛ clerke of any other of his courtes within his realme after the feast of Easter nexte commynng/ make

make out or wryte out any maner of wryttes or other proces or any extractes or other pceptes/ wherby any person or persons of his sayd subiectes or any of the sayd bodyes corporate or politike bodyes spirituall or any of them shall be in any wyse arrested attached distreyned somoned or otherwyse beryed troubled or greued in his or theyr bodyes londes tenementes goodes or cattals or in any of them/ for or bycause of any maner of thyng acquitted pardoned releasd or discharged by this present acte of free pardon/ he so offendyng/ and therof laufully condempned shall yelde and pay for recompence therof to the partie so greued or offended treble damages accompted as percell of those damages all costes of the suite. And neuer the lesse all and singular suche wryttes proces extractes ad pceptes after the sayde feast of Easter nexte comynge to be made for or vpon any maner thyng acquitted pardoned releasd and discharged by this present acte of free pardon/ shall be vtterly voyde and of none effecte.

**E**xcepte alwayes and forpysed out of this pardon all maner of hygh treasons/ all pzepernd and voluntarie murders/ all robberies of churches and robberies done vpon or to mennes persons/ al other felonies and robberies by the common lawe/ of felonous takyng of money goodes and cattalles aboue the value of .xx.s. all felonous byrennyng of houses/ all carnall rauishmentes of women/ all rasyng of recozdes/ all outlawries of high treasons/ and of all maner of felonies/ other than felonies to the said value of .xx.s. or vnder that some. And that all other outlawries hadde or promulgate vpon or ayenste any of the kynges sayde subiectes for any cause nat beyng treason murder or felony aboue the sayd somme of .xx.s. to be perdoned by þ general wordes of this pardon aforesaid. So alweis that the same said subiectes and euery of them so beinge outlawed stonde to ryght to answer or satisfie the partie at whose suite he is outlawed/ accordyng to the lawes of this realme.

**A**lso excepted and forpysed out of this pardon all titles and actions of Quare impedit, and titles of presentations donations and collations to benefices and other promotions spirituall/ which the kyng our souerayne lord hath or is intituled to haue / other than be growen shulde or myghte growe vnto our sayde souerayne lord by force or meane of any statute or statutes of puousours puousions or premunire.

**A**nd also excepted and forpysed out of this pardon all rauishmentes of the kinges wardes all wastes of the kinges woddes in his foresstes parkes and chales al conceilmentes of customes & subsidies/ al riottes routes & vnlawfull assemblies comitted & done aboue the nombze. of .xx. persones.

**A**nd also except al maner of alienatiōs & giftes into mortmain/ & al alienatiōs giftis assignemētes willes & limitatiōs of vles of ani maners lādis tñtes rētes annuities & other hereditamentes to thuse of any maner mortmain/ & al intrusiōs had made or done in or into any manours lādes tñtes or other hereditamētes sithen þ fest of þ Nativite of our lord god in þ .xxii.

E.iii.

pere

parte of the reygne of our sayde soueraygne lord. And also all offences committed and done by digginge downe or casting downe of any crosse or crosses/whiche stode or were sette in any common or hygh waye or wayes. And all and syngular dettes other than dettes growe vpon recognisances beinge all redy forsayted for suretie of the peace / or for apparence at any daye or place.

¶ And excepted and forprised out of this pardon all accomptes and all actions suites and impositions for the same accomptes and arcerages of accomptes and for the sayde dettes or any of them hereby excepted and forprised/ all homages and relieffes/ all wilfull escapes as well of conuictes as of other persons / dettes whiche were due to the moste noble kynge of famous memorie kynge Henry the. vii. or to any person or persons to his vse by any condemnation recognisance obligation or other wise / all and singular those forsaytures due to our soueraygne lord & kynge Henry the. vii. by any penall statute or statutes / whiche be conuerted in to the nature of dette by iugement or by agreement of the offendours befoze the sayde tenth daye of Marche/ And all forsaytures and other penalties and profittes growen or due by reason of any offence or acte committed or done contrary to any statute or statutes/ or contrary to the common lawe/ wher of any seilour is made / or any informatiō gyuen in the kynges Eschequer/ or any suite commensed befoze the sayde tenth daye of Marche / or wher of the kynges highnes by his bylle signed / or otherwise hath made any gifte or other assignemēt to any of his seruantes other than suche actions suites forsaytures penalties and profites growen or due/ or whiche might growe or be due to the kynges highnes by reason of any offence contempte or acte committed or done contrary to the sayde statute of prouisoours prouisions and pzemunice or any of them.

¶ And also excepted all issues forsayted fines and amerciamentes assayed taxed set extreted or iuged seuerally or particularly extending aboue the somme of. Cxx.s. And that all and singular other fines as well fines pzo licencia concozbandi as other / and all other issues and amerciamentes as wel reall as other/ forsayted befoze & saide. x. dai of Marche/ which seuerally or particularly extende not aboue & sayde somme of. Cxx.s. whether they be totted or not totted taken to the charge of the shireffe/ or not takē to his charge / extreted or not extreted / whether they be turned in to dette or not dette / and not beinge leuied nor receyued by any shireffe or shireffes bailieffes ministers or other officers shalbe fully clerely and plainly pardoned and discharged to euery of the kynges subiectes befoze reherled / ayenste the kynge our soueraigne lord his heires and successours for ever.

¶ And it is further enacted by auctoritie afoze sayd/ that in case it be objected to any shireffe or shireffes or other accōptantes in the kynges court of his Eschequer, or in any other his courtes, that any shireffe or shireffes or other officers accōtantes hath or haue receiued or takē any such fines issues



or amerciaementes befoze pardoned released or acquitted: that than every suche shireffe and shireffes and other accomptantes shall be discharged released pardoned and acquitted therof by his or theyr othe without any further triall in that behalfe.

**W**houpedd alwaye that this acte of fre pardon shall nat extende or be in any wyse beneficiall to any clerke or other person of the sayd clergie or spiritualtie/ beyng the sayde tenth day of Marche in the custodie of the said archebysshop/ or of any other ordinarie of the sayde prouince/ as a person atteynted or conuicted by the lawes of this realme of any murder felonye or other crime or offence for or concernynge delyuerance out of the conuict person/ tyll that he shall haue made his purgation accoꝝdyng to the lawes or customes vsed in that behalfe / or that he be therof discharged by the kynges pardon or other lafull meane.

**W**houpedd also that this acte of pardon shall not extende nor be preiudiciall to the kynge our soueraygne lord his heires or successours in any thyng concernynge or touchynge his ryght and title of dissolution of the college beinge in the vniuersite of Oxfoꝝde commonly called the cardinals college / whiche was lately founded by the late reuerende father in god Thomas late Cardinall and archebysshop of yorke / nor concernynge the kynges ryght and title to the suite of the same college. Nor shall extend or be in any wyse beneficiall or auaylable to the deane and canons of the same college or any of them in any thyng concernynge the kynges ryghtes and titles in al manours lordeshippes landes and tenementes aduousons churches personages and other hereditamentes of the sayde college or any of them.

**God saue the kynge.**

Tho. Berthelet regius impressor excudebat

CVM PRIVILEGIO.

